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House of Representatives

The House met at 10 a.m.

Pastor Gary Strickland, Kingdom Place, Lumberton, North Carolina, offered the following prayer:

Our dear Heavenly Father, on this National Day of Prayer, we publicly acknowledge You to be the Lord of the universe, the author of creation, the arbiter in history, and the savior of man.

We bow before Your providence and celebrate Your goodness to our Nation. Thank You for blessing America.

Bless this Chamber of decision-makers, and let each of them seek Your guidance in every matter affecting our country.

Bless this Chamber of legislators, and let each of them vote always according to Your eternal standards, which transcend time and personal preference.

Bless this Chamber of social leaders, and let each of them model for us Your healing virtues of compassion and mercy, integrity, forgiveness and service.

We bow before Your power, celebrating Your goodness to us as a people. Thank You for blessing America.

In the name of Your son, Jesus Christ, we ask and pray for all these things.

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentlewoman from California (Mrs. TAUSCHER) come forward and lead the House in the Pledge of Allegiance.

Mrs. TAUSCHER 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1760. An act to amend the Public Health Service Act with respect to the Healthy Start Initiative.

The message also announced that pursuant to section 276d–276g of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Senate Delegation to the Canada-United States Interparliamentary Group conference during the Second Session of the 110th Congress:

The Senator from Ohio (Mr. VOINOVICH).

The Senator from Alaska (Ms. MURKOWSKI).

INTRODUCTION OF REV. GARY STRICKLAND

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

Mr. MCINTYRE. Madam Speaker, I'm pleased today to introduce the Reverend Gary Strickland who just delivered the invocation for the U.S. House as we, as a Nation, begin this National Day of Prayer, a time when communities across America will be joining in prayer for our country today.

And what better person to begin this day than a man whose ministry has carried him across North Carolina, touching people from all walks of life, from the booming coastal city of Wilmington to rural communities like Pikeville, Wilson, and Little Washington, North Carolina, to the All-American cities of Fayetteville and Lumberton.

The former Christian Education Director for the North Carolina Conference of the International Pentecostal Holiness Church, Gary now pastors a vibrant, nondenominational, multicultural church named Kingdom Place that is growing exponentially and has a wide-ranging ministry that shares God's love and the redeeming power of Jesus Christ.

Born and reared in Southeastern North Carolina, he is married to my sister, Karon McIntyre Strickland, who's with us today, and they have two children, Joel and Amy; two grandsons, Bailey and Bentley; and a son-in-law, Steve.

Gary is a graduate of the University of North Carolina at Pembroke where he served as student body president. He received his master's in religious education at Duke and his master's of divinity from Southeastern Baptist Theological Seminary.

As my brother-in-law, I'm particularly honored to have had him open us today on the National Day of Prayer.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five further 1-minutes on each side.

PRESIDENT BUSH IS 0 FOR 2

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

Mr. EMANUEL. Madam Speaker, in 1993, when professional baseball owners were deciding how to rehabilitate the reputation of baseball after the players' strike, they debated whether to enact a wild-card rule to allow the second place team into the playoffs. Only one owner at the time voted against this, Texas Rangers general partner, George Bush.

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When the rule passed 27–1, at the time the President said, ''I made my arguments and went down in flames. History will prove me right.''

Since then, nearly a third of the World Series Champions have been wild-card teams, including the 2004 World Series Champion Boston Red Sox. The rule helped save baseball, as history has shown.

And just like his baseball predictions, President Bush sings a very similar tune about Iraq. He says, as recently as yesterday, ''History will prove whether I'm right, and I think I'll be right.''

Really? Five years today since his speech on ''Mission Accomplished.'' And let's take stock. More than 4,000 lives have been lost, tens of thousands of American men and women have been injured, we've spent over 475 billion taxpayer dollars in Iraq, with the price tag continually going up.

History will judge whether, once again, George Bush's record and America's reputation will go down in flames. At this rate, he's 0 for 2.

CONGRATULATING ISRAEL ON ITS 60TH ANNIVERSARY

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

Mr. KNOLLENBERG. Madam Speaker, I rise today in honor of one of this Nation's strongest allies and friends, Israel.

For 60 years now, Israel has been the pride of her people, and a beacon for those who believe in the transformational power of democracy. Our relationship with Israel is built on the bedrock principle that free people and freedom itself must be defended whenever and wherever it is threatened.

Israel itself faces constant threats to its freedom as her people suffer from the most consistent barrage of terrorist attacks the world over. But that does not stop, does not deter, does not prevent Israel from thriving and standing strong.

As a representative of one of the country's largest Jewish communities, I'm proud to rise today in support of Israel, and to congratulate the great State of Israel on its 60th anniversary. May she live strong and free for years to come.

WE NEED TO GET OUT OF IRAQ AND TAKE CARE OF THINGS HERE AT HOME

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

Mr. KUCINICH. Madam Speaker, my colleagues, yes, we're looking at an anniversary of Iraq here. But let's talk about things that the American people can relate to immediately. Cost of eggs going up 35 percent in the last year, cost of milk going up about 23 percent, bread going up about 16 percent.

Now we know that Americans going to the gas pump are paying near $4 a gallon in many areas.

What does this all have to do with Iraq?

Well, we're in Iraq for oil. The oil companies are running our domestic energy policy. It's having an impact on the price of food. It's causing a great transfer of wealth upwards away from the working people and the middle class of this country into the hands of a few wealthy oil company owners.

We need to get out of Iraq. We need to end the occupation, close the bases, bring the troops home. We need to set in motion an international security and peacekeeping force that can stabilize Iraq as our troops leave.

We need to start taking care of things here at home. Americans are losing their homes, they're losing their jobs, they're losing their health care, they're losing their retirement security. It's time we started to take care of things here at home and get out of Iraq.

□ 1015

SAN FRANCISCO ROLLS OUT THE RED CARPET FOR ILLEGALS

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

Mr. POE. Madam Speaker, San Francisco city officials are encouraging illegals to find their home in this California town. The city recently began an expensive public relations campaign reminding illegals that it is still a sanctuary city and that local law enforcement will not cooperate with Federal officials to enforce immigration laws.

This bold announcement comes at a good time. Many other American cities actually believe in enforcing the law and cooperating with the Feds to arrest international trespassers. This causes illegals that live in the shadows of those cities to be perplexed as to what to do. They certainly don't want to go home because they cannot receive free social services like health care, welfare, and education.

So to be completely compassionate and caring, San Francisco should expand its PR campaign to include those hardline, narrow-minded, nonsanctuary cities and encourage their illegals to go to San Francisco. The PR campaign should be ''The City by the Bay welcomes all, including those that violate the law.''

Meanwhile, Congress should prohibit all Federal money from going to sanctuary cities like San Francisco that laugh at the rule of law and pander to illegals.

And that's just the way it is.

HONORING CHRIS LOCKE

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

Mr. MCNERNEY. Madam Speaker, today it's my pleasure to extend my congratulations to Chris Locke, a walnut farmer from Lockeford, California, who recently earned an award from the Environmental Protection Agency for sustainable farming practices. He tends 580 acres of walnuts on a plot of land in a town that his great-great grandfather founded and which bears his family's name, Lockeford.

Chris utilizes pest control practices that reduce the need for chemical sprays. His methods include pheromone-based treatments as well as maintaining plants that attract beneficial insects and birds that control rodents.

Chris' motivation is an admirable example of sustainable farming and stands as a shining illustration of the increasing commitment of San Joaquin County farmers and growers to environmentally friendly agricultural techniques. As a pioneer in the field, Chris has generously offered to share his techniques with fellow farmers.

It is my honor to recognize Chris and to congratulate him for his well-deserved award.

HONORING THE JEANNETTE HIGH SCHOOL BASKETBALL TEAM

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

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, on Saturday, March 15, the Jeannette High School basketball team from my district won the State's Class AA championship. The Jeannette Jayhawks became the second high school in all of Pennsylvania history to reach the achievement of winning both the state basketball and state football championships. Led by players Terrelle Pryor, Shaw Sunder, and Jordan Hall, and Coach Jim Nesser, the Jayhawks won a game that will go down as one of the best in PIAA history and cap a remarkable season in which the team went 25–4.

This is a great accomplishment for a small school district in southwestern Pennsylvania which has excelled in the classroom. McKee Elementary was named a Blue Ribbon school, and all the district's schools received the Keystone Achievement Recognition this year, with the school district getting the bronze medal.

Congratulations to the entire Jeannette school district and to the entire Jeannette community.

HONORING MARINE LANCE CORPORAL JORDAN CHRISTIAN HAERTER

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

Mr. BISHOP of New York. Madam Speaker, I rise with profound sadness to recognize a fallen marine from my district, Lance Corporal Jordan Christian Haerter who was only 19 years old when he was killed in Iraq last week.

Lance Corporal Haerter was from the small Peconic Bay community of Sag Harbor, New York, and is the village's first war casualty since World War II. He is the 30th of our brave troops from Long Island, and the eighth constituent of mine, who has fallen in Iraq and Afghanistan.

Lance Corporal Haerter had been in Iraq for only a month when he died a hero while defending a checkpoint in Ramadi. He was killed while firing at the driver of an enemy truck full of explosives that was running a barrier and about to crash into dozens of his fellow marines. His noble sacrifice was honored earlier this week when hundreds of Long Islanders paid their respects outside the Old Whalers Church in Sag Harbor. They remembered his youth, his love of the Marine Corps, and his determination to be the best marine he could be. He was always faithful.

On behalf of New York's First Congressional District, I extend our heartfelt condolences to his family. Their loss will never be forgotten, and we will always remember Jordan's noble sacrifice.

PASS THE ''RIPE'' ACT

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

Mr. FLAKE. Madam Speaker, recently I introduced a bill to repeal some of the legislative provisions that have led to an artificial demand for ethanol. H.R. 5911, the Remove Incentives for Producing Ethanol Act of 2008, or RIPE Act, repeals the renewable fuel standard, repeals tax credits for ethanol producers, and repeals tariffs and duties on imported ethanol. These incentives are giving ethanol producers a guaranteed market for their product.

Domestic corn, already a heavily subsidized commodity, has been the primary source of biofuel, and the mandate has encouraged farmers to focus agriculture production away from food production toward fuel production. The Department of Agriculture has said that the biofuel mandate has raised fuel prices as much as 20 percent.

In addition, ethanol's role as a supposed savior for our energy woes has been severely overstated. Ethanol as a fuel yields about 30 percent less energy per gallon than a gallon of gasoline. This is what happens when government picks winners and losers in the economy and the marketplace. Just 4 months ago, we were convinced we had a winner. It's turned out to be a big loser.

We need to remove the incentive. I urge support of H.R. 5911.

LET US SALUTE OUR VETERANS

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

Mr. CARSON of Indiana. Madam Speaker, I come to the House floor today to honor our Nation's veterans, particularly the thousands of Hoosiers who have risked their lives to protect our Nation and secure our liberty. All Americans owe a great debt to the veterans who have served and, in some cases, made the ultimate sacrifices for our Nation.

As a Member of Congress, I rely on the spirit of these brave men and women to guide me as we work in the Chamber to ensure our troops have the benefits they have earned and deserved when they come home.

This weekend in my hometown of Indianapolis, Indiana, our distinguished House Majority Leader STENY HOYER has graciously agreed to accompany me to meet with a group of our Nation's finest veterans at the American Legion on Guion Road. This visit will provide Leader HOYER and me with the opportunity to personally thank some of our veterans and learn more about how we can better meet the needs of these true American heroes.

I am honored to welcome the majority leader back to Indianapolis, and I look forward to working with him to ensure that we meet the needs of all of our Nation's veterans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. TAUSCHER). Members are reminded not to traffic the well while another Member is under recognition.

REAUTHORIZE COUNTY PAYMENTS

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

Mr. WALDEN of Oregon. Madam Speaker, of all of the counties in the Second Congressional District, perhaps none has been more profoundly impacted by Congress' refusal to reauthorize county payments than Josephine County.

Nearly half of the county workforce has been cut in recent years. Public safety has been hardest hit. Overnight patrols by the Josephine County Sheriff's Office are down to one 10-hour shift split among six deputies who cover 1,640 square miles. That's six deputies patrolling an area the size of the State of Rhode Island.

Maybe you remember the frantic search after Thanksgiving of 2006 for the James Kim family in the Federal forests off southern Oregon. The search-and-rescue funds for that operation came from this very program that Congress has refused to reauthorize.

Why won't the Democrat leadership bring a vote on H.R. 3058? It's a bipartisan, 4-year reauthorization bill for county payments. It has been 3 months since the committees of jurisdiction have sent it to the full House, and yet no votes have been scheduled.

So I again call on the Democratic leadership to do the right thing. Keep the commitment to the timbered communities of this country and pass a reauthorization or attach it to a vehicle that's moving. Restore faith with rural counties all across America. Keep the Federal commitment to the people of timbered counties like Josephine.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1167 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1167

Resolved, That it shall be in order at any time on the legislative day of Thursday, May 1, 2008, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families.

(2) The bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

(3) A bill to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. 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 consideration of the rule is for debate only.

I yield myself such time as I may consume and ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1167.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, as the Clerk just described, H. Res. 1167 authorizes the Speaker to entertain motions that the House suspend the rules at any time on the legislative day of Thursday, May 1, 2008, on legislation relating to the following three measures:

(1) H.R. 5715, to protect the Federal student loan program.

(2) H.R. 493, Genetic Information Nondiscrimination Act.

(3) a bill to provide for a temporary extension of the farm bill.

The rule is necessary because under clause 1(a) of rule XV, the Speaker may entertain motions to suspend the rules only on Monday, Tuesday, or Wednesday of each week. In order for suspensions to be considered on other days, the Rules Committee must authorize consideration of these motions.

This is not an unusual procedure. In fact, in the 109th Congress, my friends on the other side of the aisle reported

a number of rules that provided for additional suspension days.

This rule limits the suspension of rules to only these three time-sensitive measures. This will help us move these noncontroversial, yet important, legislative initiatives that have widespread bipartisan support.

I urge my colleagues to support this rule.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I want to thank the chairwoman of the Rules Committee, Ms. SLAUGHTER, for yielding me the customary 30 minutes.

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, on September 28, 2006, the Republicans were in the majority and the Democrats were in the minority. I was managing a rule on the floor similar to what we are considering here today to allow specific bills to be considered under suspensions under the rule on a day that suspensions are not permitted under House rules like today.

During debate on that day in September 2006, the then-ranking member of the Rules Committee, Ms. SLAUGHTER, stated, ''It isn't just what the Congress has done with its time that is so disappointing. It is also what the Congress has not done, all of the challenges it has not addressed.''

Madam Speaker, the same can be absolutely said today about the Democrat control of the House of Representatives. Earlier this year, House Democrats approved a budget that included a tax hike of $683 billion, the largest in American history. Americans cannot afford the Democrat plans to cut the child tax credit in half, to reinstate the marriage penalty, and raise taxes on every single taxpayer. Instead of record-breaking tax increases, this Congress should work to make those tax cuts permanent.

I'm also dismayed that the Democrat-controlled House of Representatives has not acted to extend the State and local sales tax deduction to States that don't have State income tax. That tax expired on January 1 of this year. The State and local sales tax deduction is important for those States that don't have a State income tax, such as my home State of Washington. Extending this deduction is a matter of fairness that Congress must act to renew as soon as possible.

The Democrat-controlled House of Representatives have also failed to act to give our intelligence community the tools they need to protect our country from new terrorist threats by modernizing the seventies-era FISA laws. For over 74 days now, America has been hobbled in the vital work to monitor terrorist communications and detect new plots despite the fact that the Senate has approved a bipartisan plan and sent it over to the House. House Democrat leaders have refused to allow the House to vote on the Senate plan and have refused to go to conference with the Senate.

Madam Speaker, why, I ask, why is an issue of this magnitude being placed on the back burner by Democrat leaders, despite repeated attempts by Republicans to allow the House to vote on this bipartisan plan?

Madam Speaker, the Democrat-controlled House has also failed to address perhaps the most pressing issue on the minds of Americans today, rising gas prices.

□ 1030

Democrat leaders may not like to hear it, but since they took control of Congress in January of 2007, the cost of a gallon of gas has gone up by over 50 percent. In fact, the cost of gas has gone up by more in 16 months than it had gone up in the prior 6 years.

Instead, they have spent hours giving speeches trying to blame the President and anyone but themselves for the fact that Congress has done nothing to address rising gas prices. But, Madam Speaker, facts are stubborn things.

And the facts are that gas prices have gone up over a dollar a gallon on the Democrat Congress' watch. The facts are that Democrat leaders promised the American people in 2006 that if they were to control Congress that they had a ''commonsense plan'' to ''lower the price at the pump.''

It's been 16 months of this Democrat Congress, and the promise is nowhere to be seen. This Congress has put forward no plan, has taken no action, and passed no bills to lower gas prices. They promised relief at the pump to lower gas prices, and they've done nothing.

Madam Speaker, at this time I would like to insert into the RECORD an article by Investor's Business Daily posted April 29, 2008, and it states, ''This Congress is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy.''

[From Investor's Business Daily, Apr. 29, 2008]

CONGRESS VS. YOU

Energy: President Bush let the Democrat-led Congress have it with both barrels Tuesday, lambasting lawmakers for fiddling while the energy crisis burns. It was a well-deserved takedown of do-nothing lawmakers.

We've said it before, but we'll say it again: This Congress is possibly the most irresponsible in modern history. This is especially true when it comes to America's dysfunctional energy policy.

The media won't call either the House or the Senate on its failures, for one very obvious reason: They mostly share an ideology with the Democrats that keeps them from understanding how free markets and supply and demand really work. Sad, but true.

So we were happy to hear the president do the job, calling out Congress for its inaction and ignorance in his wide-ranging press conference Tuesday.

''Many Americans are understandably anxious about issues affecting their pocketbook, from gas and food prices to mortgage and tuition bills,'' Bush said. ''They're looking to their elected leaders in Congress for action. Unfortunately, on many of these issues, all they're getting is delay.''

Best of all, Bush didn't let the issue sit with just generalities. He reeled off a bill of particulars of congressional energy inaction, including:

Failing to allow drilling in ANWR. We have, as Bush noted, estimated capacity of a million barrels of oil a day from this source alone—enough for 27 million gallons of gas and diesel. But Congress won't touch it, fearful of the clout of the environmental lobby. As a result, you pay at the pump so your representative can raise campaign cash.

Refusing to build new refineries. The U.S. hasn't built one since 1976, yet sanctions at least 15 unique ''boutique'' fuel blends around the nation. So even the slightest problem at a refinery causes enormous supply problems and price spikes. Congress has done nothing about this.

Turning its back on nuclear power. It's safe and, with advances in nuclear reprocessing technology, waste problems have been minimized. Still, we have just 104 nuclear plants—the same as a decade ago—producing just 19% of our total energy. (Many European nations produce 40% or more of their power with nuclear.) Granted, nuclear power plants are expensive—about $3 billion each. But they produce energy at $1.72/kilowatt-hour vs. $2.37 for coal and $6.35 for natural gas.

Raising taxes on energy producers. This is where a basic understanding of economics would help: Higher taxes and needless regulation lead to less production of a commodity. So by proposing ''windfall'' and other taxes on energy companies plus tough new rules, Congress makes our energy situation worse.

These are just a few of Congress' sins of omission—all while India, China, Eastern Europe and the Middle East add more than a million barrels of new demand each and every year. New Energy Department forecasts see world oil demand growing 40% by 2030, including a 28% increase in the U.S.

Americans who are worried about the direction of their country, including runaway energy and food prices, should keep in mind the upcoming election isn't just about choosing a new president. We'll also pick a new Congress.

The current Congress, led on the House side by a speaker who promised a ''common sense plan'' to cut energy prices two years ago, has shown itself to be incompetent and irresponsible. It doesn't deserve re-election.

Madam Speaker, we all know that we must work together, Democrats, Republicans, the House, the Senate and the President, to solve America's pain at the pump. Until this happens, however, we should not deny good ideas from being considered.

Therefore, I will be urging my colleagues to defeat the previous question so that I can amend the rule to make in order any bill that would ''have the effect of lowering the national average price per gallon of regular unleaded gas.'' Let's defeat the previous question and show America that Congress is serious about addressing the rising cost at the pump.

With that, I reserve my time.

Ms. SLAUGHTER. Madam Speaker, since I will be the last speaker on this side, I will reserve my time until the gentleman has closed.

Mr. HASTINGS of Washington. At this time, Madam Speaker, I yield myself the balance of the time.

Madam Speaker, Americans don't want a debate on the problems causing gas prices to dramatically increase. They want a debate on solutions.

Therefore, as I stated a moment ago, I will be asking my colleagues to vote ''no'' on the previous question so that Members can offer solutions that have the effect of lowering the national average price per gallon of regular unleaded gas.

As I mentioned, 2 years ago, then-minority leader, now-Speaker PELOSI promised Americans a Democrat plan to lower gas prices at the pump. They have controlled Congress for 16 months, but we still have not seen this plan. Meanwhile, the cost of gasoline is setting record highs. The time is now for the House to debate ideas and solutions for lowering gas prices, and it is time for the Democrats to reveal their plan that they promised 2 years ago.

So, Madam Speaker, by defeating the previous question, I will move to amend the rule to allow any bill to be offered and considered under suspensions of the rule that would have the effect of lowering the national average price per gallon of regular unleaded gas.

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, I urge my colleagues to defeat the previous question so that we can have this debate, so that we can consider these vitally important issues that America's families, workers, truckers, small businesses, and our entire economy face with these rising prices of gasoline.

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

Ms. SLAUGHTER. Madam Speaker, while I had not planned to be here at this point to debate gas prices, I feel compelled to put a few things on the record.

Everybody knows that ExxonMobil announced first quarter profits totaling $11 billion, up 17 percent from last year and just shy of record profits last quarter. BP announced profits increased 63 percent; Royal Dutch-Shell 25 percent, and this increases the 5-year trend of record oil profits.

While my colleagues say we have done nothing, the fact is that we've done a great deal and they've almost consistently voted against it. For example, we have tried more than once to take away the Federal subsidies to these oil companies, to the big five, because they are awash in money, and we see no reason for them to get more from the taxpayers than they're already getting at the pump. That has been consistently fought by both the Republican Party and the President. The President calls for the same policies that he has done all along and sort of hopes for the best. For the last 7 years, congressional Republicans and President Bush doled out billions of dollars in subsidies to the big oil companies, instead of working for an energy independence plan for America which was rarely discussed even during their tenure.

We're committed to a new direction. Speaker PELOSI has called on President Bush to suspend purchases of oil for the Strategic Petroleum Reserve temporarily. That would go a long way toward helping us with this. We have done this before, but President Bush says he doesn't think it would affect the price.

On Friday, the New Direction Congress called on the Federal Trade Commission to enforce the law and to investigate record gas prices and possible market manipulation. Under the Energy Independence and Security Act of 2007, the FTC has the authority, but will not take it, to exercise the power to protect the consumer from skyrocketing energy costs. That is the Republican administration.

The Energy Independence and Security Act of 2007 also included landmark provisions to make cars and trucks more efficient and to promote the use of more affordable American biofuels. The new fuel standards will reduce our oil consumption by 1.1 million barrels per day by 2020, and it will save American families $700 to $1,000 per year at the pump. That is under the Democrats in Congress.

We've also passed legislation in this House to crack down on oil price gouging, to hold OPEC accountable for oil price fixing, and then, as I said, to repeal the subsidies for profit-rich Big Oil so we can invest in a renewable energy future. However, President Bush and the Republicans block these efforts every step of the way.

Cracking down on oil price gouging was opposed by 140 Republicans in the House, including all of the Republican leadership except Mr. MCCOTTER. Holding OPEC accountable was opposed by 67 Republicans, including most of the Republican leadership, Mr. BOEHNER, Mr. BLUNT, Mr. COLE, Mr. DREIER, and Ms. GRANGER. Repealing subsidies to the profit-rich oil companies and investing in renewable energy and energy efficiency was opposed by 174 Republicans, almost unanimously, including all of the Republican leadership. And in every case, the Bush administration threatened to veto the bills. Unfortunately, Republicans in the Senate refused to even let them become bills to go to the President.

We have a good and sufficient record here. We have planned to do more. We have done more than was done in the last 7 years to try to do that.

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

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

AMENDMENT TO H. RES. 1167 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of the resolution, add the following new paragraph:

(4) Any bill which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline.

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 form 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.

Ms. SLAUGHTER. Madam Speaker, 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 noes appeared to have it.

Ms. SLAUGHTER. 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.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 493, GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1156 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1156

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chairman of the Committee on Education and Labor or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour, with 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. During consideration of the motion to concur pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the motion to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from New York is recognized for 1 hour.

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

I yield myself as much time as I may consume and ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1156.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, H. Res. 1156 provides for consideration of the Senate amendment to H.R. 493, the Genetic Information Nondiscrimination Act. The rule provides 1 hour of general debate on the motion with 20 minutes each controlled by the Committee on Education and Labor, the Committee on Energy and Commerce, and the Committee on Ways and Means.

Madam Speaker, the story of humanity is defined by extraordinary achievements that centuries later are looked upon as having impacted the course of human history. Five years ago, we saw one of these distinguishing achievements: the mapping out of the human genome, a discovery that pries open the door of possibility and presents an opportunity to advance the human race.

This breakthrough in the field of genetics joins the ranks of momentous discoveries that have changed the face of medicine and science for centuries to come, like the discovery of the polio vaccine so many years ago.

Last week, Senator KENNEDY on the Senate floor noted that the mapping of the human genome ''may well affect the 21st century as profoundly as how the invention of the computer or the splitting of the atom affected the 20th century.''

However, Madam Speaker, such discoveries and achievements do not automatically lead to these extraordinary breakthroughs. In order for us to fully reap the benefits, we must ensure that our social policy keeps pace with the advancement of our science.

That is precisely why I rise today in support of the Genetic Information Nondiscrimination Act. It has been 13 years in the making, and I'm pleased that the House of Representatives is once again considering the bill today, hopefully for the last time, so we may send it to the President to sign into law.

While I'm pleased we're taking it up, I'm saddened that so much time has been lost and that the march toward progress and discovery has been slowed.

The Genetic Information Nondiscrimination Act is the culmination of a broad and bipartisan effort to prohibit the improper use of genetic information in workforce and health insurance decisions.

It prohibits group health plans and health insurers from denying coverage to healthy individuals or charging higher premiums based solely on a genetic predisposition to maybe develop a disease in the future.

Furthermore, it bars employers from using one's genetic information when making hiring, firing, job placement or job promotion decisions.

Madam Speaker, the bill has been described as the first civil rights legislation of the 21st century. I think that assessment is correct because, with the exception of trauma, everything that happens to a person's body has a genetic component. From the color of our eyes to our height, to the illnesses and disorders we are susceptible to, everything happens because of our genes.

No one, not a single living human being, has perfect genes. In fact, each one of us is estimated to be genetically predisposed to between 5 and 50 serious disorders.

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The good news is that since the sequencing of the human genome was completed in April, 2003, thanks to Dr. Francis Collins, who I am happy to say is in the gallery today, researchers have identified genetic markers for a variety of chronic health conditions and increased the potential for early treatment and the prevention of numerous genetic-based diseases. There are already genetic tests for over 1,000 diseases, and hundreds more are under development.

Let me mention just two of them. Just this week we heard from newspapers that in London and work being done in Pittsburgh, and I believe it's the University of Pennsylvania, has restored some eyesight to people who were disposed to a genetic disease that harmed their vision as children. To be able to restore eyesight is something none of us had ever dreamed of being able to do. But by injecting genetic material into the back of the eye behind the retina, they have received some sight. They believe that once they are able to do this in younger children and be able to increase the dose that the success rate will be extremely high, and that, in itself, is such good news.

Also yesterday the New York Times reported that the gene has been isolated for osteoporosis and for fragile bones. I remember when we were fighting for the Office of Women's Health, the statistic we used for osteoporosis was that we spent between $20 and $30 billion a year, and this was years ago, 10 or 15, all that much money to treat osteoporosis. At that point we had no treatment for it. We just tried to do the best we could. We have over time achieved some treatments for osteoporosis, but think what would happen if once we find that gene, we are able to manipulate that gene or change it and prevent osteoporosis altogether?

The great thing about this science is the limitless possibility to cure human conditions without long hospital stays, without invasive surgeries, and there are possibilities there for an entirely new way for us to provide health care.

Now, consider if these tests we know that can tell a woman if she has a family history of breast cancer, if she has a genetic predisposition. For at least the 10 years, I have been told by women

who are in that condition and also by their physicians that they have recommended to them that until a bill such as the one we are passing today becomes law in this country, they should not put at risk their health insurance, many of them who are the sole provider for health insurance for their families, or their jobs. We believe, the estimates are, that about 22 percent of Americans have already been discriminated against. We have numerous cases of people who have lost their jobs. So the most important thing to show what rank discrimination that has been is that having the gene is only predictive. It does not say that you are doomed to have it. Indeed, it could be 20 or 30 years away, if at all. To deny a person health insurance and employment on that kind of proposition is nothing but discrimination.

We know now that numbers of people are going to go out to get the tests that they need to be able to plan for the rest of their lives, constituents that we have all had with Alzheimer's who want to plan for their future. So in addition to improving health care for millions, it's going to give the scientists and our medical researchers invaluable insight on how to combat and even cure diseases in the future.

I don't think we're going to realize what a wonderful day this is for us until someone in your family is faced with this and that you can have a cure for them. It is totally remarkable. I honestly believe that, being here in Congress for 22 years, which has meant so much to me and for which I am so grateful to my constituents, that this piece of legislation and what we have done here is the most important thing that I shall ever do in my life and certainly in my time as a legislator.

I'm enormously grateful to everybody who has supported this and all the people who have worked on it all these many years, never getting discouraged, always working every 2 years, refiling the bill, getting all the cosponsors, and fighting for passage. That wonderful day now has come. I especially want to give my thanks to my colleague JUDY BIGGERT for all the wonderful work that she has done.

Madam Speaker, to give you an idea of the potential that exists, consider that genetic tests can tell a woman with a family history of breast cancer if she has the genetic mutation that causes it long before the cancer develops.

Armed with this information, this woman can make important health decisions on when to engage in preventative care and when to seek early treatment.

And in doing so, we can cut down on hospital stays and invasive surgeries while allowing medical treatments to be more personalized.

Madam Speaker, in addition to improving health care for millions of individuals, genetic testing gives our scientists and medical researchers invaluable insight into how to combat and, perhaps, even cure these diseases in the future.

However, for the potential of genetic research to be realized, we need to make genetic testing something that is commonplace, rather than something that is feared.

Unfortunately, because no one has perfect genes, no one is immune to genetic discrimination. And the threat of discrimination is holding men and women back from participating in clinical trials that will lead to the medical breakthroughs of the 21st Century.

Madam Speaker, their fears are not unfounded. Genetic discrimination is real and is happening today.

A 2001 survey of employer medical testing practices found that 1.3 percent of companies test employees for sickle cell anemia, 0.4 percent test for Huntington's Disease, and 20.1 percent ask about family medical history.

During the 1970s, many African Americans were denied jobs and health insurance based on their carrier status for sickle cell anemia.

More recently, many have heard about the 2002 Burlington Northern Santa Fe Corporation case where the company paid a $2.2 million settlement after it tested its employees for a genetic marker dubiously associated with carpel tunnel syndrome.

In North Carolina, a woman was fired after a genetic test revealed her risk for a lung disorder even though she had already begun the treatments that would keep her healthy.

There was even an instance of an adoption agency refusing to allow a woman at risk for Huntington's disease to adopt a child.

These abuses have only fed the public fear of genetic discrimination, leading many Americans to forgo genetic testing even if it may help avert premature death.

Sixty-six percent of Americans are concerned about how their genetic information would be stored and who would have access to it.

Seventy-two percent of the American public believes that the government should establish laws and regulations to protect the privacy of one's genetic information.

Madam Speaker, genetic discrimination is wrong on two fronts.

First, it is critical to remember that simply carrying a given genetic mutation does not guarantee that one will develop the disorder. It merely confers a level of risk upon the carrier.

Given that scientists cannot accurately predict when or whether a carrier will develop a genetic disorder, it is illogical to allow this information to be used by health insurers and employers for discriminatory purposes.

Secondly, and very importantly, if individuals do not participate in clinical trials, we will never be able to reap the real benefits of genetic science.

In a 2003 editorial, Dr. Francis Collins, head of the National Human Genome Research Institute, and James Watson made a persuasive argument in favor of non-discrimination legislation like GINA.

They wrote, and I quote: "Genetic discrimination has the potential to affect people's lives in terms of jobs and insurance, but there is another dimension as well: It can slow the pace of the scientific discovery that will yield crucial medical advances." End quote.

Madam Speaker, as I have mentioned, this legislation began 13 years ago and has had quite a ride going back and forth between the House and the Senate.

I would like to take a moment to speak briefly about the evolution of this bill and the agreements that we have made so that it could end up here today.

In order for us to move forward, we addressed some of the concerns about the legislation, specifically about the threat of frivolous lawsuits.

Several years back, we made sure that if an employer inadvertently receives a person's genetic information, they could not be sued unless they used that information to discriminate against the employee.

Within the past few weeks, we were able to work out a clarification regarding the so-called "firewall" issue.

This agreement makes both sides happy and still preserves 40 years of civil rights law by ensuring that employers are held accountable under civil rights remedies.

In addition, this bill requires that before an individual can go to court, the EEOC has to review their claim and determine if it has merit.

I am very pleased that we were able to work together to ensure the success of this critical legislation.

And, Madam Speaker, while there have been some opponents to this bill over the years, there have mostly been allies.

I hold here in my hand 514 letters of support from a wide spectrum of health, scientific, and medical-related organizations.

Here in Congress, we have over 220 cosponsors, both Democrats and Republicans.

Just over a year ago, this body passed GINA 420–3, and last week, the Senate once again passed this bill unanimously by a vote of 95–0.

Even the White House has come out in support of genetic nondiscrimination legislation.

Before I close, I want to take a moment to thank the lead Republican cosponsor of this bill, Congresswoman JUDY BIGGERT. Without her and her staffs hard work, today would simply not have been possible.

I also want to thank Congresswoman ANNA ESHOO for her strong advocacy on behalf of this bill over the years.

I want to thank Senators KENNEDY, SNOWE and ENZI for championing this bill through the Senate.

And I especially want to thank Dr. Francis Collins for his support. His testimony last year before three House Committees should have swayed even the firmest nonbelievers that genetics has the potential to change our health care system as we know it.

I am so proud to have played a role in making this legislation possible—legislation that not only will stamp out a form of discrimination, but will allow us to realize the tremendous potential of genetic research.

By passing this legislation today, we open the door to usher in a whole new era of health care and change the course of human history.

Millions of Americans have waited far too long for these protections, but I'm so pleased the wait is almost over.

I urge all my colleagues to support this bill once again.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I do want to thank my friend from New York, the gentlewoman and chairman of the Committee on Rules, for yielding me this time to discuss this proposed rule for consideration of H.R. 493, the Genetic Information Nondiscrimination Act.

Like my colleague, I too rise in support of this rule which would allow the

House to agree with the Senate compromise and pass H.R. 493, the Genetic Information Nondiscrimination Act of 2008, or GINA.

As the gentlewoman knows, this legislation has a long history. She's worked on it for a long, long time, as we heard in testimony given to the Rules Committee yesterday and the accolades that were given the gentlewoman for her support of this, as well as the gentlewoman from Illinois (Mrs. BIGGERT). First introduced in 1995, it has been cosponsored by 224 of our colleagues in this Congress. The House overwhelmingly passed this legislation last April, and with the Senate's recent approval and President Bush's pledged support, I look forward to seeing this legislation signed into law quickly.

Madam Speaker, genetics are extremely important to determining the health of every single individual. Each of us carries a handful of genetic anomalies, some of which might cause us to be affected by genetic conditions or affect the health of our children. There are currently 1,200 genetic tests that can diagnose thousands of health conditions. This number has grown exponentially from just around 100 genetic tests a short decade ago.

Every day scientists are learning more about the genetic causes of many devastating diseases. Stopping these debilitating illnesses will require the voluntary participation of hundreds of thousands of Americans in the clinical research area needed to identify, test, and approve effective treatments. This information is invaluable to managing our country's health and bringing down the overall cost of health care.

Currently, a few States provide protections for genetic information, but most provide none. This leaves Americans with little to no certainty about how their genetic rights are protected from State to State.

Additionally, genetic information is not properly covered under the current HIPAA regulations. It is necessary for Congress to provide legal protection for genetic information and clinical trials so Americans can get tested for health care concerns without fear of misuse or discrimination. This legislation ensures that all will be protected.

Currently, the fear of misuse of genetic information is preventing people from getting these important genetic tests done. The refusal to utilize effective genetic tests hurts individuals, researchers, and doctors alike. Lack of testing denies individuals important medical information that they could otherwise use to be proactively managing their health with their doctor. The information garnered by these tests also helps doctors to prescribe treatments and lifestyle changes with increased success. The same information can be used by researchers to effectively create targeted drugs and develop treatments.

Fear of discrimination has also caused a large number of people to opt out of clinical trials. With fewer participants in clinical trials, we will see slower development of treatments and beneficial drugs. In addition, clinical trials provide patients in late stages of the diseases with access to breakthrough treatments that might otherwise be unavailable.

This House has correctly recognized this issue by protecting those who obtain genetic tests in addition to those who volunteer to participate in clinical research for genetic diseases. I would like to commend my colleagues SUE MYRICK, KENNY HULSHOF, and Dr. TOM PRICE for leading the efforts to protect the importance of these clinical trials.

But none of this would be any good today, Madam Speaker, if the American public did not overwhelmingly support the Genetic Information Nondiscrimination Act. About 93 percent of Americans believe that if someone has a genetic test, their employer should not have the right to know the results. Republicans and Democrats want to see their genetic information protected.

I rise in support of this rule and the underlying bill and look forward to its passage.

I once again want to thank the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from New York, the chairman of the Rules Committee, for their hard work.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Wisconsin, Dr. KAGEN.

Mr. KAGEN. Madam Speaker, before I begin my remarks, let me extend my heartfelt gratitude to Chairwoman SLAUGHTER for her years of struggle to bring about this day and let everyone know that on this day, May 1 of 2008, we're beginning to apply our constitutional rights to protect us against discrimination to health care so that one day very soon, equal protection may mean equal treatment.

I rise today in strong support of the rule for H.R. 493, the Genetic Information Nondiscrimination Act, and the underlying legislation.

As a physician and a geneticist, I fully understand the critical need to prohibit discrimination based on an individual's genetic profile. Specifically, this bipartisan, Republican-supported and Democrat-supported bill would prohibit employers from using genetic screening results in hiring, in assigning, and promoting people at work. It would also bar insurers from making coverage choices or setting premiums based on results of such genetic testing. By establishing these protections, H.R. 493 will allow every citizen and their physicians to benefit and participate in the progress that gene therapies provide for all of us in early treatment and prevention of countless afflictions, while maintaining their essential insurance coverage.

And perhaps in the near future, I will be able to rise here on the House floor and ask that we support legislation to bring an end to all forms of discrimination in health care. And after all, our constitutional rights to protect us against discrimination should be applied to the area of health care throughout the industry, not just to genetic information, not just to one's skin color or one's skin chemistry or the content and structure of one's bones, but to everything in the human condition and every preexisting condition. Let's begin to put discrimination where it belongs: in the past.

We are moving very quickly out of this information age into a time when physicians will be able to diagnose and even treat your condition before you feel it.

In closing, I urge my colleagues to support the rule and vote in favor of this important and tremendously progressive bill.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 10 minutes to the lead cosponsor from the Republican side, the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding to me.

And I thank you for being a cosponsor of this legislation and for all your hard work on it.

Madam Speaker, I rise in support of this rule and the bill that is made in order. And I just want to say that I'll be talking in general debate too, but it was so important for me to come down here today to speak during the rule also.

When the human genome project was completed in 2003, the House of Representatives recognized it as one of the most significant scientific accomplishments of the past 100 years. For the first time, individuals actually could know their genetic risk of developing diseases such as cancer, diabetes, heart disease, Alzheimer's, Parkinson's, and the list goes on. And knowing that, they could take preventative measures to decrease their risk of getting such a disease. Completion of the human genome project and genetic testing spawned the personalized medicine movement, focusing on catching diseases earlier, when they are cheaper and easier to treat, or, even better, preventing the onset of the disease in the first place.

But after investing $3.7 billion in taxpayer money to achieve this breakthrough, Congress walked away and left the job undone. We left people without any assurance that their genetic information wouldn't be used against them. So, understandably, so many avoided this great technology, never realizing the untold health benefits and savings.

This concern even spilled over to NIH, the National Institutes of Health, where fear of genetic discrimination is currently the most common reason for not participating in research on potentially lifesaving genetic testing for breast cancer and colon cancer.

□ 1100

Fully one-third of those eligible to participate decline to do this for this

reason, undermining the development of new treatments and cures.

Madam Speaker, today Congress is here to settle some unfinished business and provide Americans the protection against genetic discrimination in health insurance and employment that they need to utilize genetic testing without fear. It's just a great day that we are here now, and it has been a long, long road to this. When you have got three committees of jurisdiction on the House side and various committees on the Senate side, to get all of these committees together to come up with a bill, to craft a bill that everybody can agree on and everybody will benefit by it, it's just a great day.

I really came to the floor to speak on the rule at this time, to acknowledge my good friend and colleague, esteemed colleague and a true leader on this issue, the chairman of the Rules Committee, Ms. SLAUGHTER. As my colleagues may know, and you just heard from Mr. SESSIONS, Congresswoman SLAUGHTER first introduced a version of this bill in the 104th Congress. For the newest Members of this body, they might not know that was the nineties. In 1995, to be exact.

So that Ms. SLAUGHTER introduced this bill at this time, that far back, is a testament to the foresight of my friend from New York. Just think, the human genome project really was 2003. So she's had the background in this scientific area to really have had that foresight for so long ago. That she introduced it, still amazes me, and the hard work. There were a lot of things that we worked out as far as the path through these years. I first joined her I think it was in 2005 when we introduced the bill again and again and again to reach this day.

So I really applaud her for her dedication to this cause, and her perseverance. Working with her on this bill has been a real joy, and I value our partnership and the historic legislation that it has produced. I look forward to hand delivering this bill to the White House with her. I think that that will be sooner than later.

Let me just say I want to highlight a few things and reasons for why we should pass this rule and why we should pass this bill. Besides the fact that we invested the $3.7 billion in the human genome, the bill is needed to maintain high quality genetic research and clinical trials at NIH. I think we have all emphasized that, that that is so important. They don't have the whole body of people getting into the clinical trials, which will then I think find the cure for these diseases.

Ninety-three percent of Americans believe that insurers and employers should not be able to discriminate based on genetic information. This bill passed the House last year 420–3. It passed the Senate last week 95–0. The bill has received three strong SAPs from the administration. And last year, President Bush said, ''I really want to make it clear to the Congress that I hope they pass the legislation that makes genetic discrimination illegal.'' Newt Gingrich, who has been a strong, strong supporter of genetic nondiscrimination said, and I quote, ''To not have this bill is to cripple our ability to save lives.'' This legislation is supported by over 500 organizations, including BIO and AHIP.

With that, I would urge a ''yes'' vote on the rule.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Florida, a member of the Rules Committee, Ms. CASTOR.

Ms. CASTOR. Madam Speaker, I rise today in strong support of the Genetic Information Nondiscrimination Act, and I would like to thank the chairwoman of the Rules Committee, Chairwoman LOUISE SLAUGHTER, for her leadership, for her perseverance in moving this critical legislation. She has been fighting for the Genetic Information Nondiscrimination Act for over 13 years. So we will herald her leadership today on behalf of American families and all hardworking folks across this country.

I am fortunate to serve on the Committee on Rules under her leadership. The folks across this country should be very proud that we have such a dedicated chairwoman leading the committee in the people's House. I'd also like to salute Congresswoman JUDY BIGGERT for her participation and perseverance as well in moving this legislation and fighting for it for so many years.

Madam Speaker, this New Direction Congress already has done a great deal to strengthen antidiscrimination efforts for our Nation this year, such as legislation that outlaws inequities in medical coverage for mental health care. Today, we will end another form of discrimination in the workplace and by health insurance companies.

The Genetic Information Nondiscrimination Act protects our neighbors from being denied health coverage or being hired or keeping a job based upon their God-given personal genetic traits. In my district in Tampa, Florida, the University of South Florida Regional Genetics Program has been doing great work in genetics research. Now they can do so much more. People will be more willing to participate in genetics research. The testing, the genetic counseling for families with genetic conditions, now they will not be so afraid and hiding because they fear they would be discriminated against if someone learned that they might have an inclination for breast cancer or diabetes or some other disease.

The scientific research opportunities are endless, and under this bill people will be protected and employers will not be able to request or purchase genetic information about employees or their families. Any information found indirectly may not be used against an employee or disclosed. Further, this legislation would outlaw health insurance companies' ability to cancel, deny, or change the terms of individual plans based upon their genetic background.

This is a civil rights issue and a privacy issue, and this legislation is an absolute necessity to provide protection for Americans in the workplace and within their health coverage. The cost of health care in America is burdensome enough without an added concern that coverage may be unethically jeopardized based on genetic information.

Madam Speaker, I urge my colleagues to support this rule and the underlying bill and again salute the leadership of Chairwoman LOUISE SLAUGHTER and Congresswoman JUDY BIGGERT.

Mr. SESSIONS. Madam Speaker, I would like to notify the gentlewoman from New York that we do not have any additional speakers at this time, so we will continue to reserve our time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS) and thank him for his help.

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

Mr. ANDREWS. Madam Speaker, I'd like to thank and congratulate my dear friend from New York for a stellar achievement in her stellar work here in the Congress, and to thank Mrs. BIGGERT, who has fought with great vigor and enthusiasm for this bill.

Madam Speaker, here's what Ms. SLAUGHTER and Mrs. BIGGERT have achieved. Somewhere this morning, a family is going to get news that a biopsy came back with bad news, that someone they love has a tumor, and that family is going to go through the agony of the next couple of months or even years of wondering if that person they love so much is going to live or die.

Now the progress we have made in this country, thank God, has let many more of those people live. But the ultimate progress is to get to the genetic puzzle that makes that person susceptible to that tumor in the first place. The way we are going to find the solution to that puzzle is by gathering data by more and more people being willing to share their genetic information with the brightest men and women in this country.

Right now there's a justifiable fear that if you share your genetic information, someone may misuse it to deny you a job, deny you an insurance policy, or hurt you in some other way. This bill lifts that burden, lifts that fear, and will stimulate millions of Americans to voluntarily, privately and safely participate so they can be part of finding this puzzle.

What Chairwoman SLAUGHTER has accomplished today, Madam Speaker, is that some day is coming, and I hope it's soon, when people will get the right answer all the time to that question, when the cure will be here, the pain will be gone, and the hope will prevail. There's a lot of things we do in this

chamber that have transitory significance. What will happen in a few hours will benefit people around the world for years to come.

This is a singular achievement. I congratulate the chairwoman. And as a father and a husband, I thank her for what she's done.

Mr. SESSIONS. We will reserve our time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California, a member of the Energy and Commerce Committee, as Mr. ANDREWS is, Ms. ESHOO, who saw me through many a bad moment on this bill, and to whom I am extremely grateful.

Ms. ESHOO. I want to first begin by saluting our colleague, LOUISE SLAUGHTER, and Mrs. BIGGERT, who has worked so hard on this. This is really all about the future, except we had to struggle for 13 years in order to recognize it. But today, we do. And it is a singular extraordinary achievement, not only on the watch of Chairwoman SLAUGHTER, but today for the full House to pass this legislation.

We know that in the makeup of our humanity is a genetic profile. Researchers and scientists have demonstrated what the potential is if in fact, not only through the human genome project, the sequencing, and the discovery of all that is hidden in it, what that portends for humanity. But there's another side of this, and that is a darker side. The darker side is entitled: Discrimination. That if that information, our genetic makeup is used by insurers to discriminate against people.

So today what we are doing is eliminating that block, that discrimination that stands in the way of the fullness of the potential of our genetic profile and how it can be not only accumulated but used to the benefit of humanity. That is what this legislation represents.

When we pass it and the President signs it into law, this legislation will not only end the discrimination and all that is attendant to it, but that from this day forward the principles of preventive medicine, the reduction of health care costs, the advancement of research, and the saving of lives will be the order of the day.

I salute you, my colleague. Well done. You have earned your keep in the Congress.

Mr. SESSIONS. Madam Speaker, we will reserve our time.

Ms. SLAUGHTER. I have no further requests for time. Let me ask my colleague if he is prepared to close.

Mr. SESSIONS. Yes, ma'am, I am.

Madam Speaker, today I will be asking each of my colleagues to vote ''no'' on the previous question to this rule. If the previous question is defeated, I will amend the rule to make it in order for the House to consider any amendment that would actually do something to reduce our high gas prices that we have in this country, to help consumers, and to require the Speaker of the House to submit her secret plan to lower gas prices.

Back on April 24, 2006, over 2 years ago, Speaker PELOSI issued the following statement, which I quote, ''With skyrocketing gas prices, it is clear that the American people can no longer afford the Republican rubber stamp Congress and its failure to stand up to Republican big oil and gas company cronies. Americans this week are paying $2.91 a gallon on average for regular gasoline, 33 cents higher than last month, and double the price that it was when President Bush first came into office.''

□ 1115

Madam Speaker, most Americans would consider it a blessing if we were only paying $2.91 today for a gallon of gasoline and the only thing they really couldn't afford is this head-in-the-sand Democrat Congress that refuses to consider or to do anything to solve the problem.

In that same press release, Speaker PELOSI went on to claim, ''Democrats have a commonsense plan to bring down skyrocketing gas prices.''

Well, I am not sure what they are waiting for, because even after passing the no-energy energy bill through the House a number of times, the cost of the Pelosi premium price increase continues to rise, with the average cost of gasoline over $3.62, hitting consumers at the pump every time they go fill up their cars.

In fact, Madam Speaker, as yesterday's Politico article Gas Prices Fuel Effort to Jam GOP makes clear, rather than seizing the opportunity to create opportunities to do something about these high gas prices, to bring in commonsense, bipartisan, supply-side solutions to the problem that help consumers, the Democrats are using them as a wedge issue, as they see it, to score political points, which does nothing to bring down the high cost of gasoline and only contributes to the Congress' abysmal low ratings.

Madam Speaker, I would suggest to you that it really might secretly be this secret plan. This secret plan, even though Speaker PELOSI said it was to bring down gas prices, I think it is all about raising gas prices closer to $5 a gallon. Of course, we know what this does. This causes an American transfer of payments to overseas places, just like Dubai. It is American consumers that are paying for and building Dubai. And the reason why is because the Democratic policies have taken off-limits the opportunity for Americans to be self-independent, because we can't do our own drilling in this country, where billions of barrels of oil reside.

By voting ''no'' on this previous question, Members can take a stand; a stand against the statements that we have heard about trying to increase gasoline prices, but while only taxing oil companies.

We demand to see this ''private'' and ''secret'' plan to reduce gas prices that the Democrats have been hiding from the American people since taking office and control of Congress. I for one would love to see this plan. But I am afraid that, much like their other campaign promises to run the most open, honest and ethical Congress in history, it simply does not exist.

Madam Speaker, American consumers cannot handle the high prices at the pump. We are demanding to know what this secret plan is to reduce gasoline prices below the level of 2 years ago. We need help. Americans all across this country will stand behind those that vote ''no'' to do something now about the problems, rather than trying to blame it on somebody else. If it was Congress' problem 2 years ago, it certainly should be Congress' problem today.

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

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

There was no objection.

Mr. SESSIONS. I encourage a ''no'' vote on the previous question, and I yield back the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I really don't want to do this, because I don't understand this previous question on a bill of this importance, but I do need to say, just for the record, that Speaker PELOSI has brought to the floor three times bills to lower gas prices; to crack down on price gouging, on holding OPEC accountable, and repealing the subsidies for profit-rich Big Oil. Every time, almost unanimously, the Republicans in this House voted against it. She has called to stop filling the Strategic Petroleum Reserve, and she has asked for a study on price gouging.

Give us some help, for heaven's sake, so we can get this done. In the previous 7 years there was nothing here at all, except more and more subsidies to Big Oil.

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

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1156

OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, insert the following:

SEC. 3. Notwithstanding any other provision of this resolution or the operation of the previous question, it shall be in order to consider any amendment to the Senate amendment which the proponent asserts, if enacted, would have the effect of lowering the national average price per gallon of regular unleaded gasoline. Such amendments shall be considered as read, shall be debatable for thirty minutes 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 of rule XXI.

SEC. 4. Within five legislative days the Speaker shall introduce a bill, the title of which is as follows: ''A bill to provide a common sense plan to help bring down skyrocketing gas prices.'' Such bill shall be referred to the appropriate committees of jurisdiction pursuant to clause 1 of rule X.

(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.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Madam Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks and to insert extraneous material on H.R. 493.

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

There was no objection.

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008

Mr. GEORGE MILLER of California. Madam Speaker, pursuant to House Resolution 1156, I call up the bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with a Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Genetic Information Nondiscrimination Act of 2008''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—GENETIC NONDISCRIMINATION IN HEALTH INSURANCE

Sec. 101. Amendments to Employee Retirement Income Security Act of 1974.
Sec. 102. Amendments to the Public Health Service Act.
Sec. 103. Amendments to the Internal Revenue Code of 1986.
Sec. 104. Amendments to title XVIII of the Social Security Act relating to medigap.
Sec. 105. Privacy and confidentiality.
Sec. 106. Assuring coordination.

TITLE II—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION

Sec. 201. Definitions.
Sec. 202. Employer practices.
Sec. 203. Employment agency practices.
Sec. 204. Labor organization practices.
Sec. 205. Training programs.
Sec. 206. Confidentiality of genetic information.
Sec. 207. Remedies and enforcement.
Sec. 208. Disparate impact.
Sec. 209. Construction.
Sec. 210. Medical information that is not genetic information.
Sec. 211. Regulations.
Sec. 212. Authorization of appropriations.
Sec. 213. Effective date.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Severability.
Sec. 302. Child labor protections.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Deciphering the sequence of the human genome and other advances in genetics open major new opportunities for medical progress. New knowledge about the genetic basis of illness will allow for earlier detection of illnesses, often before symptoms have begun. Genetic testing can allow individuals to take steps to reduce the likelihood that they will contract a particular disorder. New knowledge about genetics may allow for the development of better therapies that are more effective against disease or have fewer side effects than current treatments. These advances give rise to the potential misuse of genetic information to discriminate in health insurance and employment.

(2) The early science of genetics became the basis of State laws that provided for the sterilization of persons having presumed genetic ''defects'' such as mental retardation, mental disease, epilepsy, blindness, and hearing loss, among other conditions. The first sterilization law was enacted in the State of Indiana in 1907. By 1981, a majority of States adopted sterilization laws to ''correct'' apparent genetic traits or tendencies. Many of these State laws have since been repealed, and many have been modified to include essential constitutional requirements of due process and equal protection. However, the current explosion in the science of genetics, and the history of sterilization laws by the States based on early genetic science, compels Congressional action in this area.

(3) Although genes are facially neutral markers, many genetic conditions and disorders are associated with particular racial and ethnic groups and gender. Because some genetic traits are most prevalent in particular groups, members of a particular group may be stigmatized or discriminated against as a result of that genetic information. This form of discrimination was evident in the 1970s, which saw the advent of programs to screen and identify carriers of sickle cell anemia, a disease which afflicts African-Americans. Once again, State legislatures began to enact discriminatory laws in the area, and in the early 1970s began mandating genetic screening of all African Americans for sickle cell anemia, leading to discrimination and unnecessary fear. To alleviate some of this stigma, Congress in 1972 passed the National Sickle Cell Anemia Control Act, which withholds Federal funding from States unless sickle cell testing is voluntary.

(4) Congress has been informed of examples of genetic discrimination in the workplace. These include the use of pre-employment genetic screening at Lawrence Berkeley Laboratory, which led to a court decision in favor of the employees in that case Norman-Bloodsaw v. Lawrence Berkeley Laboratory (135 F.3d 1260, 1269 (9th Cir. 1998)). Congress clearly has a compelling public interest in relieving the fear of discrimination and in prohibiting its actual practice in employment and health insurance.

(5) Federal law addressing genetic discrimination in health insurance and employment is incomplete in both the scope and depth of its protections. Moreover, while many States have enacted some type of genetic non-discrimination

law, these laws vary widely with respect to their approach, application, and level of protection. Congress has collected substantial evidence that the American public and the medical community find the existing patchwork of State and Federal laws to be confusing and inadequate to protect them from discrimination. Therefore Federal legislation establishing a national and uniform basic standard is necessary to fully protect the public from discrimination and allay their concerns about the potential for discrimination, thereby allowing individuals to take advantage of genetic testing, technologies, research, and new therapies.

TITLE I—GENETIC NONDISCRIMINATION IN HEALTH INSURANCE

SEC. 101. AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Section 702(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(b)) is amended—

(1) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(2) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—

''(A) IN GENERAL.—For purposes of this section, a group health plan, and a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) or in paragraphs (1) and (2) of subsection (d) shall be construed to limit the ability of a health insurance issuer offering health insurance coverage in connection with a group health plan to increase the premium for an employer based on the manifestation of a disease or disorder of an individual who is enrolled in the plan. In such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other group members and to further increase the premium for the employer.''.

(b) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 702 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182) is amended by adding at the end the following:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made, in writing, pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan or issuer clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan or issuer notifies the Secretary in writing that the plan or issuer is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The plan or issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 733).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or coverage in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c), and (d), and subsection (b)(1) and section 701 with respect to genetic information, shall apply to group health plans and health insurance issuers without regard to section 732(a).''.

(c) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(d) DEFINITIONS.—Section 733(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191b(d)) is amended by adding at the end the following:

''(5) FAMILY MEMBER.—The term 'family member' means, with respect to an individual—

''(A) a dependent (as such term is used for purposes of section 701(f)(2)) of such individual, and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(6) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES AND PARTICIPATION IN GENETIC RESEARCH.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(7) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(8) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(9) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan, or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(e) ERISA ENFORCEMENT.—Section 502 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132) is amended—

(1) in subsection (a)(6), by striking ''(7), or (8)'' and inserting ''(7), (8), or (9)'';

(2) in subsection (b)(3), by striking ''The Secretary'' and inserting ''Except as provided in subsections (c)(9) and (a)(6) (with respect to collecting civil penalties under subsection (c)(9)), the Secretary''; and

(3) in subsection (c), by redesignating paragraph (9) as paragraph (10), and by inserting after paragraph (8) the following new paragraph:

''(9) SECRETARIAL ENFORCEMENT AUTHORITY RELATING TO USE OF GENETIC INFORMATION.—

''(A) GENERAL RULE.—The Secretary may impose a penalty against any plan sponsor of a group health plan, or any health insurance issuer offering health insurance coverage in

connection with the plan, for any failure by such sponsor or issuer to meet the requirements of subsection (a)(1)(F), (b)(3), (c), or (d) of section 702 or section 701 or 702(b)(1) with respect to genetic information, in connection with the plan.

''(B) AMOUNT.—

''(i) IN GENERAL.—The amount of the penalty imposed by subparagraph (A) shall be $100 for each day in the noncompliance period with respect to each participant or beneficiary to whom such failure relates.

''(ii) NONCOMPLIANCE PERIOD.—For purposes of this paragraph, the term 'noncompliance period' means, with respect to any failure, the period—

''(I) beginning on the date such failure first occurs; and

''(II) ending on the date the failure is corrected.

''(C) MINIMUM PENALTIES WHERE FAILURE DISCOVERED.—Notwithstanding clauses (i) and (ii) of subparagraph (D):

''(i) IN GENERAL.—In the case of 1 or more failures with respect to a participant or beneficiary—

''(I) which are not corrected before the date on which the plan receives a notice from the Secretary of such violation; and

''(II) which occurred or continued during the period involved;

the amount of penalty imposed by subparagraph (A) by reason of such failures with respect to such participant or beneficiary shall not be less than $2,500.

''(ii) HIGHER MINIMUM PENALTY WHERE VIOLATIONS ARE MORE THAN DE MINIMIS.—To the extent violations for which any person is liable under this paragraph for any year are more than de minimis, clause (i) shall be applied by substituting '$15,000' for '$2,500' with respect to such person.

''(D) LIMITATIONS.—

''(i) PENALTY NOT TO APPLY WHERE FAILURE NOT DISCOVERED EXERCISING REASONABLE DILIGENCE.—No penalty shall be imposed by subparagraph (A) on any failure during any period for which it is established to the satisfaction of the Secretary that the person otherwise liable for such penalty did not know, and exercising reasonable diligence would not have known, that such failure existed.

''(ii) PENALTY NOT TO APPLY TO FAILURES CORRECTED WITHIN CERTAIN PERIODS.—No penalty shall be imposed by subparagraph (A) on any failure if—

''(I) such failure was due to reasonable cause and not to willful neglect; and

''(II) such failure is corrected during the 30-day period beginning on the first date the person otherwise liable for such penalty knew, or exercising reasonable diligence would have known, that such failure existed.

''(iii) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—In the case of failures which are due to reasonable cause and not to willful neglect, the penalty imposed by subparagraph (A) for failures shall not exceed the amount equal to the lesser of—

''(I) 10 percent of the aggregate amount paid or incurred by the plan sponsor (or predecessor plan sponsor) during the preceding taxable year for group health plans; or

''(II) $500,000.

''(E) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the penalty imposed by subparagraph (A) to the extent that the payment of such penalty would be excessive relative to the failure involved.

''(F) DEFINITIONS.—Terms used in this paragraph which are defined in section 733 shall have the meanings provided such terms in such section.''.

(f) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Secretary of Labor shall issue final regulations not later than 12 months after the date of enactment of this Act to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to group health plans for plan years beginning after the date that is 1 year after the date of enactment of this Act.

SEC. 102. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) AMENDMENTS RELATING TO THE GROUP MARKET.—

(1) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Section 2702(b) of the Public Health Service Act (42 U.S.C. 300gg–1(b)) is amended—

(A) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(B) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—

''(A) IN GENERAL.—For purposes of this section, a group health plan, and health insurance issuer offering group health insurance coverage in connection with a group health plan, may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) or in paragraphs (1) and (2) of subsection (d) shall be construed to limit the ability of a health insurance issuer offering health insurance coverage in connection with a group health plan to increase the premium for an employer based on the manifestation of a disease or disorder of an individual who is enrolled in the plan. In such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other group members and to further increase the premium for the employer.''.

(2) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 2702 of the Public Health Service Act (42 U.S.C. 300gg–1) is amended by adding at the end the following:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan or issuer clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan or issuer notifies the Secretary in writing that the plan or issuer is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The plan or issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 2791).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan, and a health insurance issuer offering health insurance coverage in connection with a group health plan, shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or coverage in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan, or a health insurance issuer offering health insurance coverage in connection with a group health plan, obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c) , and (d) and subsection (b)(1) and section 2701 with respect to genetic information, shall apply to group health plans and health insurance issuers without regard to section 2721(a).''.

(3) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(4) DEFINITIONS.—Section 2791(d) of the Public Health Service Act (42 U.S.C. 300gg–91(d)) is amended by adding at the end the following:

''(15) FAMILY MEMBER.—The term 'family member' means, with respect to any individual—

''(A) a dependent (as such term is used for purposes of section 2701(f)(2)) of such individual; and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(16) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES AND PARTICIPATION IN GENETIC RESEARCH.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(17) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(18) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(19) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan, or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(5) REMEDIES AND ENFORCEMENT.—Section 2722(b) of the Public Health Service Act (42 U.S.C. 300gg–22(b)) is amended by adding at the end the following:

''(3) ENFORCEMENT AUTHORITY RELATING TO GENETIC DISCRIMINATION.—

''(A) GENERAL RULE.—In the cases described in paragraph (1), notwithstanding the provisions of paragraph (2)(C), the succeeding subparagraphs of this paragraph shall apply with respect to an action under this subsection by the Secretary with respect to any failure of a health insurance issuer in connection with a group health plan, to meet the requirements of subsection (a)(1)(F), (b)(3), (c), or (d) of section 2702 or section 2701 or 2702(b)(1) with respect to genetic information in connection with the plan.

''(B) AMOUNT.—

''(i) IN GENERAL.—The amount of the penalty imposed under this paragraph shall be $100 for each day in the noncompliance period with respect to each participant or beneficiary to whom such failure relates.

''(ii) NONCOMPLIANCE PERIOD.—For purposes of this paragraph, the term 'noncompliance period' means, with respect to any failure, the period—

''(I) beginning on the date such failure first occurs; and

''(II) ending on the date the failure is corrected.

''(C) MINIMUM PENALTIES WHERE FAILURE DISCOVERED.—Notwithstanding clauses (i) and (ii) of subparagraph (D):

''(i) IN GENERAL.—In the case of 1 or more failures with respect to an individual—

''(I) which are not corrected before the date on which the plan receives a notice from the Secretary of such violation; and

''(II) which occurred or continued during the period involved;

the amount of penalty imposed by subparagraph (A) by reason of such failures with respect to such individual shall not be less than $2,500.

''(ii) HIGHER MINIMUM PENALTY WHERE VIOLATIONS ARE MORE THAN DE MINIMIS.—To the extent violations for which any person is liable under this paragraph for any year are more than de minimis, clause (i) shall be applied by substituting '$15,000' for '$2,500' with respect to such person.

''(D) LIMITATIONS.—

''(i) PENALTY NOT TO APPLY WHERE FAILURE NOT DISCOVERED EXERCISING REASONABLE DILIGENCE.—No penalty shall be imposed by subparagraph (A) on any failure during any period for which it is established to the satisfaction of the Secretary that the person otherwise liable for such penalty did not know, and exercising reasonable diligence would not have known, that such failure existed.

''(ii) PENALTY NOT TO APPLY TO FAILURES CORRECTED WITHIN CERTAIN PERIODS.—No penalty shall be imposed by subparagraph (A) on any failure if—

''(I) such failure was due to reasonable cause and not to willful neglect; and

''(II) such failure is corrected during the 30-day period beginning on the first date the person otherwise liable for such penalty knew, or exercising reasonable diligence would have known, that such failure existed.

''(iii) OVERALL LIMITATION FOR UNINTENTIONAL FAILURES.—In the case of failures which are due to reasonable cause and not to willful neglect, the penalty imposed by subparagraph (A) for failures shall not exceed the amount equal to the lesser of—

''(I) 10 percent of the aggregate amount paid or incurred by the employer (or predecessor employer) during the preceding taxable year for group health plans; or

''(II) $500,000.

''(E) WAIVER BY SECRETARY.—In the case of a failure which is due to reasonable cause and not to willful neglect, the Secretary may waive part or all of the penalty imposed by subparagraph (A) to the extent that the payment of such penalty would be excessive relative to the failure involved.''.

(b) AMENDMENT RELATING TO THE INDIVIDUAL MARKET.—

(1) IN GENERAL.—The first subpart 3 of part B of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–51 et seq.) (relating to other requirements) is amended—

(A) by redesignating such subpart as subpart 2; and

(B) by adding at the end the following:

''SEC. 2753. PROHIBITION OF HEALTH DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION.

''(a) PROHIBITION ON GENETIC INFORMATION AS A CONDITION OF ELIGIBILITY.—

''(1) IN GENERAL.—A health insurance issuer offering health insurance coverage in the individual market may not establish rules for the eligibility (including continued eligibility) of any individual to enroll in individual health insurance coverage based on genetic information.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) or in paragraphs (1) and (2) of subsection (e) shall be construed to preclude a health insurance issuer from establishing rules for eligibility for an individual to enroll in individual health insurance coverage based on the manifestation of a disease or disorder in that individual, or in a family member of such individual where such family member is covered under the policy that covers such individual.

''(b) PROHIBITION ON GENETIC INFORMATION IN SETTING PREMIUM RATES.—

''(1) IN GENERAL.—A health insurance issuer offering health insurance coverage in the individual market shall not adjust premium or contribution amounts for an individual on the basis of genetic information concerning the individual or a family member of the individual.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) or in paragraphs (1) and (2) of subsection (e) shall be construed to preclude a health insurance issuer from adjusting premium or contribution amounts for an individual on the basis of a manifestation of a disease or disorder in that individual, or in a family member of such individual where such family member is covered under the policy that covers such individual. In such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other individuals covered under the policy issued to such individual and to further increase premiums or contribution amounts.

''(c) PROHIBITION ON GENETIC INFORMATION AS PREEXISTING CONDITION.—

''(1) IN GENERAL.—A health insurance issuer offering health insurance coverage in the individual market may not, on the basis of genetic information, impose any preexisting condition exclusion (as defined in section 2701(b)(1)(A)) with respect to such coverage.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) or in paragraphs (1) and (2) of subsection (e) shall be construed to preclude a health insurance issuer from imposing any preexisting condition exclusion for an individual with respect to health insurance coverage on the basis of a manifestation of a disease or disorder in that individual.

''(d) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A health insurance issuer offering health insurance coverage in the individual market shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a health insurance issuer offering health insurance coverage in the individual market from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a) and (c).

''(B) LIMITATION.—For purposes of subparagraph (A), a health insurance issuer offering health insurance coverage in the individual market may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a health insurance issuer offering health insurance coverage in the individual market may request, but not require, that an individual or a family member of such individual undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The issuer clearly indicates to each individual, or in the case of a minor child, to the

legal guardian of such child, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The issuer notifies the Secretary in writing that the issuer is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(e) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A health insurance issuer offering health insurance coverage in the individual market shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 2791).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A health insurance issuer offering health insurance coverage in the individual market shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a health insurance issuer offering health insurance coverage in the individual market obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this part to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(2) REMEDIES AND ENFORCEMENT.—Section 2761(b) of the Public Health Service Act (42 U.S.C. 300gg–61(b)) is amended to read as follows:

''(b) SECRETARIAL ENFORCEMENT AUTHORITY.—The Secretary shall have the same authority in relation to enforcement of the provisions of this part with respect to issuers of health insurance coverage in the individual market in a State as the Secretary has under section 2722(b)(2), and section 2722(b)(3) with respect to violations of genetic nondiscrimination provisions, in relation to the enforcement of the provisions of part A with respect to issuers of health insurance coverage in the small group market in the State.''.

(c) ELIMINATION OF OPTION OF NON-FEDERAL GOVERNMENTAL PLANS TO BE EXCEPTED FROM REQUIREMENTS CONCERNING GENETIC INFORMATION.—Section 2721(b)(2) of the Public Health Service Act (42 U.S.C. 300gg–21(b)(2)) is amended—

(1) in subparagraph (A), by striking ''If the plan sponsor'' and inserting ''Except as provided in subparagraph (D), if the plan sponsor''; and

(2) by adding at the end the following:

''(D) ELECTION NOT APPLICABLE TO REQUIREMENTS CONCERNING GENETIC INFORMATION.—The election described in subparagraph (A) shall not be available with respect to the provisions of subsections (a)(1)(F), (b)(3), (c), and (d) of section 2702 and the provisions of sections 2701 and 2702(b) to the extent that such provisions apply to genetic information.''.

(d) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 12 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply—

(A) with respect to group health plans, and health insurance coverage offered in connection with group health plans, for plan years beginning after the date that is 1 year after the date of enactment of this Act; and

(B) with respect to health insurance coverage offered, sold, issued, renewed, in effect, or operated in the individual market after the date that is 1 year after the date of enactment of this Act.

SEC. 103. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986.

(a) NO DISCRIMINATION IN GROUP PREMIUMS BASED ON GENETIC INFORMATION.—Subsection (b) of section 9802 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (2)(A), by inserting before the semicolon the following: ''except as provided in paragraph (3)''; and

(2) by adding at the end the following:

''(3) NO GROUP-BASED DISCRIMINATION ON BASIS OF GENETIC INFORMATION.—

''(A) IN GENERAL.—For purposes of this section, a group health plan may not adjust premium or contribution amounts for the group covered under such plan on the basis of genetic information.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) or in paragraphs (1) and (2) of subsection (d) shall be construed to limit the ability of a group health plan to increase the premium for an employer based on the manifestation of a disease or disorder of an individual who is enrolled in the plan. In such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other group members and to further increase the premium for the employer.''.

(b) LIMITATIONS ON GENETIC TESTING; PROHIBITION ON COLLECTION OF GENETIC INFORMATION; APPLICATION TO ALL PLANS.—Section 9802 of such Code is amended by redesignating subsection (c) as subsection (f) and by inserting after subsection (b) the following new subsections:

''(c) GENETIC TESTING.—

''(1) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—A group health plan may not request or require an individual or a family member of such individual to undergo a genetic test.

''(2) RULE OF CONSTRUCTION.—Paragraph (1) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(3) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(A) IN GENERAL.—Nothing in paragraph (1) shall be construed to preclude a group health plan from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (a).

''(B) LIMITATION.—For purposes of subparagraph (A), a group health plan may request only the minimum amount of information necessary to accomplish the intended purpose.

''(4) RESEARCH EXCEPTION.—Notwithstanding paragraph (1), a group health plan may request, but not require, that a participant or beneficiary undergo a genetic test if each of the following conditions is met:

''(A) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(B) The plan clearly indicates to each participant or beneficiary, or in the case of a minor child, to the legal guardian of such beneficiary, to whom the request is made that—

''(i) compliance with the request is voluntary; and

''(ii) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(C) No genetic information collected or acquired under this paragraph shall be used for underwriting purposes.

''(D) The plan notifies the Secretary in writing that the plan is conducting activities pursuant to the exception provided for under this paragraph, including a description of the activities conducted.

''(E) The plan complies with such other conditions as the Secretary may by regulation require for activities conducted under this paragraph.

''(d) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(1) IN GENERAL.—A group health plan shall not request, require, or purchase genetic information for underwriting purposes (as defined in section 9832).

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—A group health plan shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the plan or in connection with such enrollment.

''(3) INCIDENTAL COLLECTION.—If a group health plan obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of paragraph (2) if such request, requirement, or purchase is not in violation of paragraph (1).

''(e) APPLICATION TO ALL PLANS.—The provisions of subsections (a)(1)(F), (b)(3), (c), and (d) and subsection (b)(1) and section 9801 with respect to genetic information, shall apply to group health plans without regard to section 9831(a)(2).''.

(c) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Such section is further amended by adding at the end the following:

''(f) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this chapter to genetic information concerning an individual or family member of an individual shall—

''(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(d) DEFINITIONS.—Subsection (d) of section 9832 of such Code is amended by adding at the end the following:

''(6) FAMILY MEMBER.—The term 'family member' means, with respect to any individual—

''(A) a dependent (as such term is used for purposes of section 9801(f)(2)) of such individual, and

''(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

''(7) GENETIC INFORMATION.—

''(A) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(i) such individual's genetic tests,

''(ii) the genetic tests of family members of such individual, and

''(iii) the manifestation of a disease or disorder in family members of such individual.

''(B) INCLUSION OF GENETIC SERVICES AND PARTICIPATION IN GENETIC RESEARCH.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

''(C) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(8) GENETIC TEST.—

''(A) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(B) EXCEPTIONS.—The term 'genetic test' does not mean—

''(i) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes, or

''(ii) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(9) GENETIC SERVICES.—The term 'genetic services' means—

''(A) a genetic test;

''(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(C) genetic education.

''(10) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to any group health plan, or health insurance coverage offered in connection with a group health plan—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the plan or coverage;

''(B) the computation of premium or contribution amounts under the plan or coverage;

''(C) the application of any pre-existing condition exclusion under the plan or coverage; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.''.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Subchapter C of chapter 100 of the Internal Revenue Code of 1986 (relating to general provisions) is amended by adding at the end the following new section:

''SEC. 9834. ENFORCEMENT.

''For the imposition of tax on any failure of a group health plan to meet the requirements of this chapter, see section 4980D.''.

(2) CONFORMING AMENDMENT.—The table of sections for subchapter C of chapter 100 of such Code is amended by adding at the end the following new item:

''Sec. 9834. Enforcement.''.

(f) REGULATIONS AND EFFECTIVE DATE.—

(1) REGULATIONS.—The Secretary of the Treasury shall issue final regulations or other guidance not later than 12 months after the date of the enactment of this Act to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to group health plans for plan years beginning after the date that is 1 year after the date of the enactment of this Act.

SEC. 104. AMENDMENTS TO TITLE XVIII OF THE SOCIAL SECURITY ACT RELATING TO MEDIGAP.

(a) NONDISCRIMINATION.—Section 1882(s)(2) of the Social Security Act (42 U.S.C. 1395ss(s)(2)) is amended by adding at the end the following:

''(E) An issuer of a medicare supplemental policy shall not deny or condition the issuance or effectiveness of the policy (including the imposition of any exclusion of benefits under the policy based on a pre-existing condition) and shall not discriminate in the pricing of the policy (including the adjustment of premium rates) of an individual on the basis of the genetic information with respect to such individual.

''(F) RULE OF CONSTRUCTION.—Nothing in subparagraph (E) or in subparagraphs (A) or (B) of subsection (x)(2) shall be construed to limit the ability of an issuer of a medicare supplemental policy from, to the extent otherwise permitted under this title—

''(i) denying or conditioning the issuance or effectiveness of the policy or increasing the premium for an employer based on the manifestation of a disease or disorder of an individual who is covered under the policy; or

''(ii) increasing the premium for any policy issued to an individual based on the manifestation of a disease or disorder of an individual who is covered under the policy (in such case, the manifestation of a disease or disorder in one individual cannot also be used as genetic information about other group members and to further increase the premium for the employer).''.

(b) LIMITATIONS ON GENETIC TESTING AND GENETIC INFORMATION.—

(1) IN GENERAL.—Section 1882 of the Social Security Act (42 U.S.C. 1395ss) is amended by adding at the end the following:

''(x) LIMITATIONS ON GENETIC TESTING AND INFORMATION.—

''(1) GENETIC TESTING.—

''(A) LIMITATION ON REQUESTING OR REQUIRING GENETIC TESTING.—An issuer of a medicare supplemental policy shall not request or require an individual or a family member of such individual to undergo a genetic test.

''(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed to limit the authority of a health care professional who is providing health care services to an individual to request that such individual undergo a genetic test.

''(C) RULE OF CONSTRUCTION REGARDING PAYMENT.—

''(i) IN GENERAL.—Nothing in subparagraph (A) shall be construed to preclude an issuer of a medicare supplemental policy from obtaining and using the results of a genetic test in making a determination regarding payment (as such term is defined for the purposes of applying the regulations promulgated by the Secretary under part C of title XI and section 264 of the Health Insurance Portability and Accountability Act of 1996, as may be revised from time to time) consistent with subsection (s)(2)(E).

''(ii) LIMITATION.—For purposes of clause (i), an issuer of a medicare supplemental policy may request only the minimum amount of information necessary to accomplish the intended purpose.

''(D) RESEARCH EXCEPTION.—Notwithstanding subparagraph (A), an issuer of a medicare supplemental policy may request, but not require, that an individual or a family member of such individual undergo a genetic test if each of the following conditions is met:

''(i) The request is made pursuant to research that complies with part 46 of title 45, Code of Federal Regulations, or equivalent Federal regulations, and any applicable State or local law or regulations for the protection of human subjects in research.

''(ii) The issuer clearly indicates to each individual, or in the case of a minor child, to the legal guardian of such child, to whom the request is made that—

''(I) compliance with the request is voluntary; and

''(II) non-compliance will have no effect on enrollment status or premium or contribution amounts.

''(iii) No genetic information collected or acquired under this subparagraph shall be used for underwriting, determination of eligibility to enroll or maintain enrollment status, premium rating, or the creation, renewal, or replacement of a plan, contract, or coverage for health insurance or health benefits.

''(iv) The issuer notifies the Secretary in writing that the issuer is conducting activities pursuant to the exception provided for under this subparagraph, including a description of the activities conducted.

''(v) The issuer complies with such other conditions as the Secretary may by regulation require for activities conducted under this subparagraph.

''(2) PROHIBITION ON COLLECTION OF GENETIC INFORMATION.—

''(A) IN GENERAL.—An issuer of a medicare supplemental policy shall not request, require, or purchase genetic information for underwriting purposes (as defined in paragraph (3)).

''(B) PROHIBITION ON COLLECTION OF GENETIC INFORMATION PRIOR TO ENROLLMENT.—An issuer of a medicare supplemental policy shall not request, require, or purchase genetic information with respect to any individual prior to such individual's enrollment under the policy in connection with such enrollment.

''(C) INCIDENTAL COLLECTION.—If an issuer of a medicare supplemental policy obtains genetic information incidental to the requesting, requiring, or purchasing of other information concerning any individual, such request, requirement, or purchase shall not be considered a violation of subparagraph (B) if such request, requirement, or purchase is not in violation of subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) FAMILY MEMBER.—The term 'family member' means with respect to an individual, any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual.

''(B) GENETIC INFORMATION.—

''(i) IN GENERAL.—The term 'genetic information' means, with respect to any individual, information about—

''(I) such individual's genetic tests,

''(II) the genetic tests of family members of such individual, and

''(III) subject to clause (iv), the manifestation of a disease or disorder in family members of such individual.

''(ii) INCLUSION OF GENETIC SERVICES AND PARTICIPATION IN GENETIC RESEARCH.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

''(iii) EXCLUSIONS.—The term 'genetic information' shall not include information about the sex or age of any individual.

''(C) GENETIC TEST.—

''(i) IN GENERAL.—The term 'genetic test' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

''(ii) EXCEPTIONS.—The term 'genetic test' does not mean—

''(I) an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes; or

''(II) an analysis of proteins or metabolites that is directly related to a manifested disease, disorder, or pathological condition that could reasonably be detected by a health care professional with appropriate training and expertise in the field of medicine involved.

''(D) GENETIC SERVICES.—The term 'genetic services' means—

''(i) a genetic test;

''(ii) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

''(iii) genetic education.

''(E) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to a medicare supplemental policy—

''(i) rules for, or determination of, eligibility (including enrollment and continued eligibility) for benefits under the policy;

''(ii) the computation of premium or contribution amounts under the policy;

''(iii) the application of any pre-existing condition exclusion under the policy; and

''(iv) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

''(F) ISSUER OF A MEDICARE SUPPLEMENTAL POLICY.—The term 'issuer of a medicare supplemental policy' includes a third-party administrator or other person acting for or on behalf of such issuer.''.

(2) APPLICATION TO GENETIC INFORMATION OF A FETUS OR EMBRYO.—Section 1882(x) of such Act, as added by paragraph (1), is further amended by adding at the end the following:

''(4) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this section to genetic information concerning an individual or family member of an individual shall—

''(A) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

''(B) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.''.

(3) CONFORMING AMENDMENT.—Section 1882(o) of the Social Security Act (42 U.S.C. 1395ss(o)) is amended by adding at the end the following:

''(4) The issuer of the medicare supplemental policy complies with subsection (s)(2)(E) and subsection (x).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an issuer of a medicare supplemental policy for policy years beginning on or after the date that is 1 year after the date of enactment of this Act.

(d) TRANSITION PROVISIONS.—

(1) IN GENERAL.—If the Secretary of Health and Human Services identifies a State as requiring a change to its statutes or regulations to conform its regulatory program to the changes made by this section, the State regulatory program shall not be considered to be out of compliance with the requirements of section 1882 of the Social Security Act due solely to failure to make such change until the date specified in paragraph (4).

(2) NAIC STANDARDS.—If, not later than June 30, 2008, the National Association of Insurance Commissioners (in this subsection referred to as the ''NAIC'') modifies its NAIC Model Regulation relating to section 1882 of the Social Security Act (referred to in such section as the 1991 NAIC Model Regulation, as subsequently modified) to conform to the amendments made by this section, such revised regulation incorporating the modifications shall be considered to be the applicable NAIC model regulation (including the revised NAIC model regulation and the 1991 NAIC Model Regulation) for the purposes of such section.

(3) SECRETARY STANDARDS.—If the NAIC does not make the modifications described in paragraph (2) within the period specified in such paragraph, the Secretary of Health and Human Services shall, not later than October 1, 2008, make the modifications described in such paragraph and such revised regulation incorporating the modifications shall be considered to be the appropriate regulation for the purposes of such section.

(4) DATE SPECIFIED.—

(A) IN GENERAL.—Subject to subparagraph (B), the date specified in this paragraph for a State is the earlier of—

(i) the date the State changes its statutes or regulations to conform its regulatory program to the changes made by this section, or

(ii) October 1, 2008.

(B) ADDITIONAL LEGISLATIVE ACTION REQUIRED.—In the case of a State which the Secretary identifies as—

(i) requiring State legislation (other than legislation appropriating funds) to conform its regulatory program to the changes made in this section, but

(ii) having a legislature which is not scheduled to meet in 2008 in a legislative session in which such legislation may be considered, the date specified in this paragraph is the first day of the first calendar quarter beginning after the close of the first legislative session of the State legislature that begins on or after July 1, 2008. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 105. PRIVACY AND CONFIDENTIALITY.

(a) IN GENERAL.—Part C of title XI of the Social Security Act is amended by adding at the end the following new section:

''APPLICATION OF HIPAA REGULATIONS TO GENETIC INFORMATION

''SEC. 1180. (a) IN GENERAL.—The Secretary shall revise the HIPAA privacy regulation (as defined in subsection (b)) so it is consistent with the following:

''(1) Genetic information shall be treated as health information described in section 1171(4)(B).

''(2) The use or disclosure by a covered entity that is a group health plan, health insurance issuer that issues health insurance coverage, or issuer of a medicare supplemental policy of protected health information that is genetic information about an individual for underwriting purposes under the group health plan, health insurance coverage, or medicare supplemental policy shall not be a permitted use or disclosure.

''(b) DEFINITIONS.—For purposes of this section:

''(1) GENETIC INFORMATION; GENETIC TEST; FAMILY MEMBER.—The terms 'genetic information', 'genetic test', and 'family member' have the meanings given such terms in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), as amended by the Genetic Information Nondiscrimination Act of 2007.

''(2) GROUP HEALTH PLAN; HEALTH INSURANCE COVERAGE; MEDICARE SUPPLEMENTAL POLICY.—The terms 'group health plan' and 'health insurance coverage' have the meanings given such terms under section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), and the term 'medicare supplemental policy' has the meaning given such term in section 1882(g).

''(3) HIPAA PRIVACY REGULATION.—The term 'HIPAA privacy regulation' means the regulations promulgated by the Secretary under this part and section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note).

''(4) UNDERWRITING PURPOSES.—The term 'underwriting purposes' means, with respect to a group health plan, health insurance coverage, or a medicare supplemental policy—

''(A) rules for, or determination of, eligibility (including enrollment and continued eligibility) for, or determination of, benefits under the plan, coverage, or policy;

''(B) the computation of premium or contribution amounts under the plan, coverage, or policy;

''(C) the application of any pre-existing condition exclusion under the plan, coverage, or policy; and

''(D) other activities related to the creation, renewal, or replacement of a contract of health insurance or health benefits.

''(c) PROCEDURE.—The revisions under subsection (a) shall be made by notice in the Federal Register published not later than 60 days after the date of the enactment of this section and shall be effective upon publication, without opportunity for any prior public comment, but may be revised, consistent with this section, after opportunity for public comment.

''(d) ENFORCEMENT.—In addition to any other sanctions or remedies that may be available under law, a covered entity that is a group health plan, health insurance issuer, or issuer of a medicare supplemental policy and that violates the HIPAA privacy regulation (as revised under subsection (a) or otherwise) with respect to the use or disclosure of genetic information shall be subject to the penalties described in sections 1176 and 1177 in the same manner and to the same extent that such penalties apply to violations of this part.''.

(b) REGULATIONS; EFFECTIVE DATE.—

(1) REGULATIONS.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to carry out the revision required by section 1180(a) of the Social Security Act, as added by subsection (a). The Secretary has the sole authority to promulgate such regulations, but shall promulgate such regulations in consultation with the Secretaries of Labor and the Treasury.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 106. ASSURING COORDINATION.

Except as provided in section 105(b)(1), the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury shall ensure, through the execution of an interagency memorandum of understanding among such Secretaries, that—

(1) regulations, rulings, and interpretations issued by such Secretaries relating to the same matter over which two or more such Secretaries have responsibility under this title (and the amendments made by this title) are administered so as to have the same effect at all times; and

(2) coordination of policies relating to enforcing the same requirements through such Secretaries in order to have a coordinated enforcement strategy that avoids duplication of enforcement efforts and assigns priorities in enforcement.

TITLE II—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION

SEC. 201. DEFINITIONS.

In this title:

(1) COMMISSION.—The term ''Commission'' means the Equal Employment Opportunity Commission as created by section 705 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4).

(2) EMPLOYEE; EMPLOYER; EMPLOYMENT AGENCY; LABOR ORGANIZATION; MEMBER.—

(A) IN GENERAL.—The term ''employee'' means—

(i) an employee (including an applicant), as defined in section 701(f) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(f));

(ii) a State employee (including an applicant) described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16c(a));

(iii) a covered employee (including an applicant), as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301);

(iv) a covered employee (including an applicant), as defined in section 411(c) of title 3, United States Code; or

(v) an employee or applicant to which section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16(a)) applies.

(B) EMPLOYER.—The term ''employer'' means—

(i) an employer (as defined in section 701(b) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(b)));

(ii) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(iii) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(iv) an employing office, as defined in section 411(c) of title 3, United States Code; or

(v) an entity to which section 717(a) of the Civil Rights Act of 1964 applies.

(C) EMPLOYMENT AGENCY; LABOR ORGANIZATION.—The terms ''employment agency'' and ''labor organization'' have the meanings given

the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e).

(D) MEMBER.—The term ''member'', with respect to a labor organization, includes an applicant for membership in a labor organization.

(3) FAMILY MEMBER.—The term ''family member'' means, with respect to an individual—

(A) a dependent (as such term is used for purposes of section 701(f)(2) of the Employee Retirement Income Security Act of 1974) of such individual, and

(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

(4) GENETIC INFORMATION.—

(A) IN GENERAL.—The term ''genetic information'' means, with respect to any individual, information about—

(i) such individual's genetic tests,

(ii) the genetic tests of family members of such individual, and

(iii) the manifestation of a disease or disorder in family members of such individual.

(B) INCLUSION OF GENETIC SERVICES AND PARTICIPATION IN GENETIC RESEARCH.—Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

(C) EXCLUSIONS.—The term ''genetic information'' shall not include information about the sex or age of any individual.

(5) GENETIC MONITORING.—The term ''genetic monitoring'' means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations, that may have developed in the course of employment due to exposure to toxic substances in the workplace, in order to identify, evaluate, and respond to the effects of or control adverse environmental exposures in the workplace.

(6) GENETIC SERVICES.—The term ''genetic services'' means—

(A) a genetic test;

(B) genetic counseling (including obtaining, interpreting, or assessing genetic information); or

(C) genetic education.

(7) GENETIC TEST.—

(A) IN GENERAL.—The term ''genetic test'' means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites, that detects genotypes, mutations, or chromosomal changes.

(B) EXCEPTIONS.—The term ''genetic test'' does not mean an analysis of proteins or metabolites that does not detect genotypes, mutations, or chromosomal changes.

SEC. 202. EMPLOYER PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire, or to discharge, any employee, or otherwise to discriminate against any employee with respect to the compensation, terms, conditions, or privileges of employment of the employee, because of genetic information with respect to the employee; or

(2) to limit, segregate, or classify the employees of the employer in any way that would deprive or tend to deprive any employee of employment opportunities or otherwise adversely affect the status of the employee as an employee, because of genetic information with respect to the employee.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer to request, require, or purchase genetic information with respect to an employee or a family member of the employee except—

(1) where an employer inadvertently requests or requires family medical history of the employee or family member of the employee;

(2) where—

(A) health or genetic services are offered by the employer, including such services offered as part of a wellness program;

(B) the employee provides prior, knowing, voluntary, and written authorization;

(C) only the employee (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employer except in aggregate terms that do not disclose the identity of specific employees;

(3) where an employer requests or requires family medical history from the employee to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where an employer purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history;

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employer provides written notice of the genetic monitoring to the employee;

(B)(i) the employee provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the employee is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employer, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific employees; or

(6) where the employer conducts DNA analysis for law enforcement purposes as a forensic laboratory, and such analysis is included in the Combined DNA Index System pursuant to section 210304 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14132), and requests or requires genetic information of such employer's employees, but only to the extent that such genetic information is used for analysis of DNA identification markers for quality control to detect sample contamination.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (6) of subsection (b) applies, such information may not be used in violation of paragraph (1) or (2) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 203. EMPLOYMENT AGENCY PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for an employment agency—

(1) to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of genetic information with respect to the individual;

(2) to limit, segregate, or classify individuals or fail or refuse to refer for employment any individual in any way that would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employment agency to request, require, or purchase genetic information with respect to an individual or a family member of the individual except—

(1) where an employment agency inadvertently requests or requires family medical history of the individual or family member of the individual;

(2) where—

(A) health or genetic services are offered by the employment agency, including such services offered as part of a wellness program;

(B) the individual provides prior, knowing, voluntary, and written authorization;

(C) only the individual (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employment agency except in aggregate terms that do not disclose the identity of specific individuals;

(3) where an employment agency requests or requires family medical history from the individual to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where an employment agency purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history; or

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employment agency provides written notice of the genetic monitoring to the individual;

(B)(i) the individual provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the individual is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employment agency, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results

of the monitoring only in aggregate terms that do not disclose the identity of specific individuals.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (5) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 204. LABOR ORGANIZATION PRACTICES.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from the membership of the organization, or otherwise to discriminate against, any member because of genetic information with respect to the member;

(2) to limit, segregate, or classify the members of the organization, or fail or refuse to refer for employment any member, in any way that would deprive or tend to deprive any member of employment opportunities, or otherwise adversely affect the status of the member as an employee, because of genetic information with respect to the member; or

(3) to cause or attempt to cause an employer to discriminate against a member in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for a labor organization to request, require, or purchase genetic information with respect to a member or a family member of the member except—

(1) where a labor organization inadvertently requests or requires family medical history of the member or family member of the member;

(2) where—

(A) health or genetic services are offered by the labor organization, including such services offered as part of a wellness program;

(B) the member provides prior, knowing, voluntary, and written authorization;

(C) only the member (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the labor organization except in aggregate terms that do not disclose the identity of specific members;

(3) where a labor organization requests or requires family medical history from the members to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where a labor organization purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history; or

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the labor organization provides written notice of the genetic monitoring to the member;

(B)(i) the member provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the member is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the labor organization, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific members.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (5) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 205. TRAINING PROGRAMS.

(a) DISCRIMINATION BASED ON GENETIC INFORMATION.—It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs—

(1) to discriminate against any individual because of genetic information with respect to the individual in admission to, or employment in, any program established to provide apprenticeship or other training or retraining;

(2) to limit, segregate, or classify the applicants for or participants in such apprenticeship or other training or retraining, or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive any individual of employment opportunities, or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual; or

(3) to cause or attempt to cause an employer to discriminate against an applicant for or a participant in such apprenticeship or other training or retraining in violation of this title.

(b) ACQUISITION OF GENETIC INFORMATION.—It shall be an unlawful employment practice for an employer, labor organization, or joint labor-management committee described in subsection (a) to request, require, or purchase genetic information with respect to an individual or a family member of the individual except—

(1) where the employer, labor organization, or joint labor-management committee inadvertently requests or requires family medical history of the individual or family member of the individual;

(2) where—

(A) health or genetic services are offered by the employer, labor organization, or joint labor-management committee, including such services offered as part of a wellness program;

(B) the individual provides prior, knowing, voluntary, and written authorization;

(C) only the individual (or family member if the family member is receiving genetic services) and the licensed health care professional or board certified genetic counselor involved in providing such services receive individually identifiable information concerning the results of such services; and

(D) any individually identifiable genetic information provided under subparagraph (C) in connection with the services provided under subparagraph (A) is only available for purposes of such services and shall not be disclosed to the employer, labor organization, or joint labor-management committee except in aggregate terms that do not disclose the identity of specific individuals;

(3) where the employer, labor organization, or joint labor-management committee requests or requires family medical history from the individual to comply with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws;

(4) where the employer, labor organization, or joint labor-management committee purchases documents that are commercially and publicly available (including newspapers, magazines, periodicals, and books, but not including medical databases or court records) that include family medical history;

(5) where the information involved is to be used for genetic monitoring of the biological effects of toxic substances in the workplace, but only if—

(A) the employer, labor organization, or joint labor-management committee provides written notice of the genetic monitoring to the individual;

(B)(i) the individual provides prior, knowing, voluntary, and written authorization; or

(ii) the genetic monitoring is required by Federal or State law;

(C) the individual is informed of individual monitoring results;

(D) the monitoring is in compliance with—

(i) any Federal genetic monitoring regulations, including any such regulations that may be promulgated by the Secretary of Labor pursuant to the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.), or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.); or

(ii) State genetic monitoring regulations, in the case of a State that is implementing genetic monitoring regulations under the authority of the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.); and

(E) the employer, labor organization, or joint labor-management committee, excluding any licensed health care professional or board certified genetic counselor that is involved in the genetic monitoring program, receives the results of the monitoring only in aggregate terms that do not disclose the identity of specific individuals; or

(6) where the employer conducts DNA analysis for law enforcement purposes as a forensic laboratory, and such analysis is included in the Combined DNA Index System pursuant to section 210304 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14132), and requests or requires genetic information of such employer's apprentices or trainees, but only to the extent that such genetic information is used for analysis of DNA identification markers for quality control to detect sample contamination.

(c) PRESERVATION OF PROTECTIONS.—In the case of information to which any of paragraphs (1) through (6) of subsection (b) applies, such information may not be used in violation of paragraph (1), (2), or (3) of subsection (a) or treated or disclosed in a manner that violates section 206.

SEC. 206. CONFIDENTIALITY OF GENETIC INFORMATION.

(a) TREATMENT OF INFORMATION AS PART OF CONFIDENTIAL MEDICAL RECORD.—If an employer, employment agency, labor organization, or joint labor-management committee possesses genetic information about an employee or member, such information shall be maintained on separate forms and in separate medical files and be treated as a confidential medical record of the employee or member. An employer, employment agency, labor organization, or joint labor-management committee shall be considered to be in compliance with the maintenance of information requirements of this subsection with respect to genetic information subject to this subsection that is maintained with and treated as a confidential medical record under section 102(d)(3)(B) of the Americans With Disabilities Act (42 U.S.C. 12112(d)(3)(B)).

(b) LIMITATION ON DISCLOSURE.—An employer, employment agency, labor organization,

or joint labor-management committee shall not disclose genetic information concerning an employee or member except—

(1) to the employee or member of a labor organization (or family member if the family member is receiving the genetic services) at the written request of the employee or member of such organization;

(2) to an occupational or other health researcher if the research is conducted in compliance with the regulations and protections provided for under part 46 of title 45, Code of Federal Regulations;

(3) in response to an order of a court, except that—

(A) the employer, employment agency, labor organization, or joint labor-management committee may disclose only the genetic information expressly authorized by such order; and

(B) if the court order was secured without the knowledge of the employee or member to whom the information refers, the employer, employment agency, labor organization, or joint labor-management committee shall inform the employee or member of the court order and any genetic information that was disclosed pursuant to such order;

(4) to government officials who are investigating compliance with this title if the information is relevant to the investigation;

(5) to the extent that such disclosure is made in connection with the employee's compliance with the certification provisions of section 103 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2613) or such requirements under State family and medical leave laws; or

(6) to a Federal, State, or local public health agency only with regard to information that is described in section 201(4)(A)(iii) and that concerns a contagious disease that presents an imminent hazard of death or life-threatening illness, and that the employee whose family member or family members is or are the subject of a disclosure under this paragraph is notified of such disclosure.

(c) RELATIONSHIP TO HIPAA REGULATIONS.—With respect to the regulations promulgated by the Secretary of Health and Human Services under part C of title XI of the Social Security Act (42 U.S.C. 1320d et seq.) and section 264 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), this title does not prohibit a covered entity under such regulations from any use or disclosure of health information that is authorized for the covered entity under such regulations. The previous sentence does not affect the authority of such Secretary to modify such regulations.

SEC. 207. REMEDIES AND ENFORCEMENT.

(a) EMPLOYEES COVERED BY TITLE VII OF THE CIVIL RIGHTS ACT OF 1964.—

(1) IN GENERAL.—The powers, procedures, and remedies provided in sections 705, 706, 707, 709, 710, and 711 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4 et seq.) to the Commission, the Attorney General, or any person, alleging a violation of title VII of that Act (42 U.S.C. 2000e et seq.) shall be the powers, procedures, and remedies this title provides to the Commission, the Attorney General, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(i), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(b) EMPLOYEES COVERED BY GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in sections 302 and 304 of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16b, 2000e–16c) to the Commission, or any person, alleging a violation of section 302(a)(1) of that Act (42 U.S.C. 2000e–16b(a)(1)) shall be the powers, remedies, and procedures this title provides to the Commission, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(ii), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(c) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as defined in section 101 of that Act (2 U.S.C. 1301)), or any person, alleging a violation of section 201(a)(1) of that Act (42 U.S.C. 1311(a)(1)) shall be the powers, remedies, and procedures this title provides to that Board, or any person, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(iii), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to that Board, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to that Board, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(4) OTHER APPLICABLE PROVISIONS.—With respect to a claim alleging a practice described in paragraph (1), title III of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) shall apply in the same manner as such title applies with respect to a claim alleging a violation of section 201(a)(1) of such Act (2 U.S.C. 1311(a)(1)).

(d) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in chapter 5 of title 3, United States Code, to the President, the Commission, the Merit Systems Protection Board, or any person, alleging a violation of section 411(a)(1) of that title, shall be the powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee described in section 201(2)(A)(iv), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the President, the Commission, such Board, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(e) EMPLOYEES COVERED BY SECTION 717 OF THE CIVIL RIGHTS ACT OF 1964.—

(1) IN GENERAL.—The powers, remedies, and procedures provided in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging a violation of that section shall be the powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, respectively, alleging an unlawful employment practice in violation of this title against an employee or applicant described in section 201(2)(A)(v), except as provided in paragraphs (2) and (3).

(2) COSTS AND FEES.—The powers, remedies, and procedures provided in subsections (b) and (c) of section 722 of the Revised Statutes of the United States (42 U.S.C. 1988), shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging such a practice.

(3) DAMAGES.—The powers, remedies, and procedures provided in section 1977A of the Revised Statutes of the United States (42 U.S.C. 1981a), including the limitations contained in subsection (b)(3) of such section 1977A, shall be powers, remedies, and procedures this title provides to the Commission, the Attorney General, the Librarian of Congress, or any person, alleging such a practice (not an employment practice specifically excluded from coverage under section 1977A(a)(1) of the Revised Statutes of the United States).

(f) PROHIBITION AGAINST RETALIATION.—No person shall discriminate against any individual because such individual has opposed any act or practice made unlawful by this title or because such individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this title. The remedies and procedures otherwise provided for under this section shall be available to aggrieved individuals with respect to violations of this subsection.

(g) DEFINITION.—In this section, the term ''Commission'' means the Equal Employment Opportunity Commission.

SEC. 208. DISPARATE IMPACT.

(a) GENERAL RULE.—Notwithstanding any other provision of this Act, ''disparate impact'', as that term is used in section 703(k) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2(k)), on the basis of genetic information does not establish a cause of action under this Act.

(b) COMMISSION.—On the date that is 6 years after the date of enactment of this Act, there shall be established a commission, to be known as the Genetic Nondiscrimination Study Commission (referred to in this section as the ''Commission'') to review the developing science of genetics and to make recommendations to Congress regarding whether to provide a disparate impact cause of action under this Act.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Commission shall be composed of 8 members, of which—

(A) 1 member shall be appointed by the Majority Leader of the Senate;

(B) 1 member shall be appointed by the Minority Leader of the Senate;

(C) 1 member shall be appointed by the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) 1 member shall be appointed by the ranking minority member of the Committee on Health, Education, Labor, and Pensions of the Senate;

(E) 1 member shall be appointed by the Speaker of the House of Representatives;

(F) 1 member shall be appointed by the Minority Leader of the House of Representatives;

(G) 1 member shall be appointed by the Chairman of the Committee on Education and Labor of the House of Representatives; and

(H) 1 member shall be appointed by the ranking minority member of the Committee on Education and Labor of the House of Representatives.

(2) COMPENSATION AND EXPENSES.—The members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(d) ADMINISTRATIVE PROVISIONS.—

(1) LOCATION.—The Commission shall be located in a facility maintained by the Equal Employment Opportunity Commission.

(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Commission, the head of such department or agency shall furnish such information to the Commission.

(4) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the objectives of this section, except that, to the extent possible, the Commission shall use existing data and research.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(e) REPORT.—Not later than 1 year after all of the members are appointed to the Commission under subsection (c)(1), the Commission shall submit to Congress a report that summarizes the findings of the Commission and makes such recommendations for legislation as are consistent with this Act.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Equal Employment Opportunity Commission such sums as may be necessary to carry out this section.

SEC. 209. CONSTRUCTION.

(a) IN GENERAL.—Nothing in this title shall be construed to—

(1) limit the rights or protections of an individual under any other Federal or State statute that provides equal or greater protection to an individual than the rights or protections provided for under this title, including the protections of an individual under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) (including coverage afforded to individuals under section 102 of such Act (42 U.S.C. 12112)), or under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(2)(A) limit the rights or protections of an individual to bring an action under this title against an employer, employment agency, labor organization, or joint labor-management committee for a violation of this title; or

(B) provide for enforcement of, or penalties for violation of, any requirement or prohibition applicable to any employer, employment agency, labor organization, or joint labor-management committee subject to enforcement for a violation under—

(i) the amendments made by title I of this Act;

(ii)(I) subsection (a) of section 701 of the Employee Retirement Income Security Act of 1974 as such section applies with respect to genetic information pursuant to subsection (b)(1)(B) of such section;

(II) section 702(a)(1)(F) of such Act; or

(III) section 702(b)(1) of such Act as such section applies with respect to genetic information as a health status-related factor;

(iii)(I) subsection (a) of section 2701 of the Public Health Service Act as such section applies with respect to genetic information pursuant to subsection (b)(1)(B) of such section;

(II) section 2702(a)(1)(F) of such Act; or

(III) section 2702(b)(1) of such Act as such section applies with respect to genetic information as a health status-related factor; or

(iv)(I) subsection (a) of section 9801 of the Internal Revenue Code of 1986 as such section applies with respect to genetic information pursuant to subsection (b)(1)(B) of such section;

(II) section 9802(a)(1)(F) of such Act; or

(III) section 9802(b)(1) of such Act as such section applies with respect to genetic information as a health status-related factor;

(3) apply to the Armed Forces Repository of Specimen Samples for the Identification of Remains;

(4) limit or expand the protections, rights, or obligations of employees or employers under applicable workers' compensation laws;

(5) limit the authority of a Federal department or agency to conduct or sponsor occupational or other health research that is conducted in compliance with the regulations contained in part 46 of title 45, Code of Federal Regulations (or any corresponding or similar regulation or rule);

(6) limit the statutory or regulatory authority of the Occupational Safety and Health Administration or the Mine Safety and Health Administration to promulgate or enforce workplace safety and health laws and regulations; or

(7) require any specific benefit for an employee or member or a family member of an employee or member under any group health plan or health insurance issuer offering group health insurance coverage in connection with a group health plan.

(b) GENETIC INFORMATION OF A FETUS OR EMBRYO.—Any reference in this title to genetic information concerning an individual or family member of an individual shall—

(1) with respect to such an individual or family member of an individual who is a pregnant woman, include genetic information of any fetus carried by such pregnant woman; and

(2) with respect to an individual or family member utilizing an assisted reproductive technology, include genetic information of any embryo legally held by the individual or family member.

(c) RELATION TO AUTHORITIES UNDER TITLE I.—With respect to a group health plan, or a health insurance issuer offering group health insurance coverage in connection with a group health plan, this title does not prohibit any activity of such plan or issuer that is authorized for the plan or issuer under any provision of law referred to in clauses (i) through (iv) of subsection (a)(2)(B).

SEC. 210. MEDICAL INFORMATION THAT IS NOT GENETIC INFORMATION.

An employer, employment agency, labor organization, or joint labor-management committee shall not be considered to be in violation of this title based on the use, acquisition, or disclosure of medical information that is not genetic information about a manifested disease, disorder, or pathological condition of an employee or member, including a manifested disease, disorder, or pathological condition that has or may have a genetic basis.

SEC. 211. REGULATIONS.

Not later than 1 year after the date of enactment of this title, the Commission shall issue final regulations to carry out this title.

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this title (except for section 208).

SEC. 213. EFFECTIVE DATE.

This title takes effect on the date that is 18 months after the date of enactment of this Act.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of such provisions to any person or circumstance shall not be affected thereby.

SEC. 302. CHILD LABOR PROTECTIONS.

(a) IN GENERAL.—Section 16(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(e)) is amended to read as follows:

''(e)(1)(A) Any person who violates the provisions of sections 12 or 13(c), relating to child labor, or any regulation issued pursuant to such sections, shall be subject to a civil penalty not to exceed—

''(i) $11,000 for each employee who was the subject of such a violation; or

''(ii) $50,000 with regard to each such violation that causes the death or serious injury of any employee under the age of 18 years, which penalty may be doubled where the violation is a repeated or willful violation.

''(B) For purposes of subparagraph (A), the term 'serious injury' means—

''(i) permanent loss or substantial impairment of one of the senses (sight, hearing, taste, smell, tactile sensation);

''(ii) permanent loss or substantial impairment of the function of a bodily member, organ, or mental faculty, including the loss of all or part of an arm, leg, foot, hand or other body part; or

''(iii) permanent paralysis or substantial impairment that causes loss of movement or mobility of an arm, leg, foot, hand or other body part.

''(2) Any person who repeatedly or willfully violates section 6 or 7, relating to wages, shall be subject to a civil penalty not to exceed $1,100 for each such violation.

''(3) In determining the amount of any penalty under this subsection, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of any penalty under this subsection, when finally determined, may be—

''(A) deducted from any sums owing by the United States to the person charged;

''(B) recovered in a civil action brought by the Secretary in any court of competent jurisdiction, in which litigation the Secretary shall be represented by the Solicitor of Labor; or

''(C) ordered by the court, in an action brought for a violation of section 15(a)(4) or a repeated or willful violation of section 15(a)(2), to be paid to the Secretary.

''(4) Any administrative determination by the Secretary of the amount of any penalty under this subsection shall be final, unless within 15 days after receipt of notice thereof by certified mail the person charged with the violation takes exception to the determination that the violations for which the penalty is imposed occurred,

in which event final determination of the penalty shall be made in an administrative proceeding after opportunity for hearing in accordance with section 554 of title 5, United States Code, and regulations to be promulgated by the Secretary.

''(5) Except for civil penalties collected for violations of section 12, sums collected as penalties pursuant to this section shall be applied toward reimbursement of the costs of determining the violations and assessing and collecting such penalties, in accordance with the provision of section 2 of the Act entitled 'An Act to authorize the Department of Labor to make special statistical studies upon payment of the cost thereof and for other purposes' (29 U.S.C. 9a). Civil penalties collected for violations of section 12 shall be deposited in the general fund of the Treasury.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

MOTION OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Motion offered by Mr. GEORGE MILLER of California:

Mr. George Miller of California moves that the House concur in the Senate amendment to H.R. 493.

The SPEAKER pro tempore. Pursuant to House Resolution 1156, the motion shall be debatable for 1 hour, with 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

The gentleman from California (Mr. GEORGE MILLER), the gentleman from California (Mr. MCKEON), the gentleman from Michigan (Mr. DINGELL), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. STARK), and the gentleman from Michigan (Mr. CAMP) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Madam Speaker, I ask unanimous consent to yield my 10 minutes to the Chair of the Commerce Committee, Mr. DINGELL.

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

There was no objection.

Mr. DINGELL. Madam Speaker, I yield myself 2 minutes.

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

Mr. DINGELL. Madam Speaker, today we consider H.R. 493, the Genetic Information Nondiscrimination Act. I first wish to congratulate Representative SLAUGHTER for her leadership on this bill on which she has worked for better than 13 years. It has been a privilege to join her in that work, and I am delighted that it has brought us to today's vote.

Recent advances in research have made it possible to identify the genetic basis for human diseases. These breakthroughs, magnificent as they are, have opened the door to early detection and treatment of diseases and prevention strategies geared to a person's genetic makeup. At the same time, this information can also be used to unfairly discriminate against or stigmatize individuals when it comes to insurance and employment.

To protect individuals from insurance discrimination, H.R. 493 would prohibit health insurers, both in group and individual markets, from canceling, denying, refusing to renew or changing the terms or premiums of coverage based solely on genetic predispositions towards specific diseases.

Additionally, in order to protect individuals from employment discrimination, this bill would make it unlawful for employers or other hiring entities to use an individual's genetic information regarding hiring, firing, promotion or other terms and conditions of employment. The legislation requires that genetic information be treated as a part of the individual's confidential medical record and that employers maintain separate forms or files for any genetic information that they may obtain.

The House of Representatives passed this legislation a year ago with a strong bipartisan vote of 420–3. Unfortunately, the measure has been held up in the Senate, as usual. With these concerns now resolved, we are close to providing Americans the ability to undergo genetic testing that may indicate early treatment and prevention of diseases such as cancer, heart disease, diabetes and Alzheimer's, without fear of losing their health insurance or affecting adversely the conditions of their employment.

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

Mr. DINGELL. I yield myself 1 additional minute.

The bill currently before us includes clarifying language intended to ease the concerns of some of my colleagues and is identical to the version passed by the Senate last week. These changes include a firewall between title I and II of the bill. The modifications clarify that employers are not liable for health insurance violations under civil rights laws unless the employer has separately violated a provision of title II governing employers.

The changes also make it clear that while individuals are protected from discrimination based on genetic predisposition, the authority of insurance companies to base coverage and pricing on the actual presence of a disease is not affected.

These changes broaden the base of support for the bill and allow us to bring it to the House floor with the expectation that it will be signed into law by the President.

I thank my colleagues on both sides of the aisle for their hard work on this bill and for coming together to make this legislation a reality.

Madam Speaker, I ask unanimous consent to yield back the remainder of my time to my distinguished friend from California, the Honorable GEORGE MILLER, chairman of the Education and Labor Committee, and that he be permitted to yield that time in accordance with his whims.

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

There was no objection.

Mr. MCKEON. Madam Speaker, I rise in support of this legislation, and yield myself such time as I may consume.

Madam Speaker, while it is not a perfect bill, I do believe it contains a number of important improvements over prior versions of this legislation, including that which I supported a little over a year ago on the House floor. More importantly, it marks a commitment by this Congress to ensure that the laws of the United States protect American workers and health care consumers from discrimination on the basis of their genetic makeup. Because that goal is so critical, I will vote for this bill today, and urge my colleagues to do likewise.

Before I turn to the substance of my remarks, I would like to commend my colleague and fellow Member on the Committee on Education and Labor, Representative JUDY BIGGERT, for her years of work and dedication on this important issue. She has been persistent and effective on so many issues that have come before this committee and this Congress and she should be commended for adding this important bill to her list of legislative accomplishments. I also want to commend the gentlewoman from New York, the distinguished Chair of the Rules Committee, Ms. SLAUGHTER, who has been Mrs. BIGGERT's partner in this effort.

As I noted during our committee's consideration of this bill last year, I believe the title of the legislation before us, the Genetic Information Nondiscrimination Act, embodies a proposition that all Members of our committee and indeed our Congress would endorse. Simply put, no employee should face discrimination on the basis of his or her genetic makeup or on any other characteristic other than his or her ability to do the job. Similarly, no employee should risk his or her health insurance status simply because of the possibility that they might some day develop an illness.

This bill was drafted with those fundamental principles in mind, and I believe that through the legislative process, we have taken steps toward ensuring that the bill we send the President today ensures that those principles are fulfilled, while minimizing the potential for unintended consequences.

I would take this opportunity to point out a number of improvements in the bill that I think merit attention.

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Foremost, I am pleased that the bill we will send today to the White House for President Bush to sign embodies the same logic as a past executive order issued by President Clinton to ensure that this legislation would not inadvertently serve as a broad new Federal mandate requiring all insurance plans and employers to cover all treatments related to genetic-related conditions. That is exactly the type of unintended consequences we were seeking to avoid, and I am pleased we were able to work this out.

Second, I would highlight a provision in the legislation that ensures that employers who are currently subject to a number of confidentiality and recordkeeping requirements under law are not burdened by yet another redundant set of paperwork requirements. The bill before us today provides that, with respect to genetic information, if an employer maintains employee records and treats them as it does confidential medical records under the Americans With Disabilities Act, it is in compliance with this new genetics law.

Third, I applaud a significant improvement in the bill; namely, its extension of genetic nondiscrimination protection to all Americans.

One of the issues raised during our committee's consideration of the bill was concern that the bill's protections did not adequately extend to cover children in utero or at early stages of development, or in connection with in vitro fertilization and other technologies. I am very pleased that the final bill before us addresses this issue to the satisfaction of all Members on both sides of the aisle who worked in good faith to ensure the broadest protections possible.

The Senate amendment we consider today contains a number of other improvements over prior versions, including important provisions relating to those who participate in genetic clinical testing, providing for use of genetic information in matters of public health safety, and ensuring the most focused scheme of remedies possible. These changes represent issues we were able to work through over the past year and which demonstrate how the legislative process is meant to work. We were presented with well-intentioned legislation, heard meaningful testimony on it and its potential impact on employers and employees alike, raised and debated legitimate concerns, and worked through to bridge the gap between where we began and where we stand today.

I thank the staff from both sides of the aisle and in both chambers for making this a reality.

Before concluding my remarks, I would be remiss if I did not note for the record that I am still concerned that this bill is in some respects potentially overbroad. While we all agree with the goal of nondiscrimination I discussed earlier, the facts remain that we are poised today to adopt a sweeping new expansion to Federal Civil Rights scheme, the most expansive change since the adoption of the Americans With Disabilities Act of 1990.

As we send this bill to the President to sign into law, I would urge my colleagues to join me in remaining vigilant in the months to come in monitoring the administration of this new law to ensure that it addresses the problems it is intended to correct, and does not simply become yet another bureaucratic burden on employers or a lottery ticket for plaintiffs' lawyers.

In that same light, as courts and administrative agencies interpret and enforce these laws, I would urge them to heed the intent of Congress; namely, that this bill's most egregious penalties must be reserved for the most egregious violations of the law. If experience under this new law shows that this is not the case, I trust my colleagues will join me in supporting swift action to correct any mistakes we have made.

With that, I will conclude my comments. As I noted at the outset of my remarks, our actions today will ensure that the law of the United States protects American workers and health care consumers from discrimination on the basis of their genetic makeup, a goal I think is shared by every Member of this House. I urge my colleagues to support this legislation.

I yield the balance of my time to the gentlelady from Illinois (Mrs. BIGGERT) and ask unanimous consent that she be allowed to control the remainder of the time.

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

There was no objection.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from California, the subcommittee Chair of Ways and Means, Mr. STARK.

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

Mr. STARK. Madam Speaker, I would add my congratulations and praise to the gentlewoman from New York (Ms. SLAUGHTER) and the gentlewoman from Illinois (Mrs. BIGGERT) for the work that they have done to bring this bill finally to the floor for passage. It is a bill that has languished for over a decade. It is good to see that times have changed. We moved expeditiously last year through three committees and on to the floor, and it will leave this chamber today and head to the White House for the President's signature. It is a small but long overdue step toward approving our health care system and preventing employment discrimination, and ensures that our laws governing patients' rights are as current as the latest medical technology.

Simply stated, the legislation provides peace of mind, and encourages people to take advantage of the miracles of modern medicine without fear of reprisal or consequences at work or in health care or in qualifying for insurance.

GINA, as it is known, prohibits insurers and employees from using the genetic information to discriminate. Thus, a woman who has decided to find out whether she carries the breast cancer gene need not worry about losing her job or health insurance merely because she sought the test. Enactment of this law is critical to protect patients and is needed to encourage people to use robust genetic research and to encourage more research. Additional research will help us determine when we men will get colon cancer or prostate cancer, and not be afraid to go and receive those tests for fear of being discriminated against.

This legislation enjoys broad bipartisan support of more than 500 groups representing patients, employees, physicians, providers, and others who value the protection that this legislation provides. I urge strong support for this bill.

I ask unanimous consent that I be able to yield the balance of our time for the Ways and Means Committee to the gentleman from California (Mr. GEORGE MILLER), and that he control the balance of our time.

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

There was no objection.

Mr. UPTON. I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this legislation, and want to commend all those that were instrumental in getting its passage to the floor, particularly my good friend, JUDY BIGGERT from Illinois.

We have made some wonderful advances in health care research over the number of years. I can remember helping to lead the charge with my colleague, Mr. WAXMAN, on a bipartisan bill to double the money for the National Institutes of Health back in the nineties, and we had a similar effort in the Senate between JOHN MCCAIN, the Republican leader there of that same issue, and Paul Wellstone, a dear colleague who is no longer with us. But, together we passed that bipartisan legislation. And with those advances, of course we have to look at other things that are pertinent, too, and that is why this Genetic Information Nondiscrimination Act is so important.

I remember traveling to the University of Michigan and meeting with one of the researchers there that in fact had received an NIH grant; and he just weeks before, because of that grant, had identified the breast cancer gene that strikes one in eight women across America. He was excited. And it wouldn't have happened without that NIH money; but with that discovery, it is clear that we have to in fact protect that genetic information from being discriminated against by who knows who.

And I would say that, thanks to my colleagues, Mr. DEAL, the ranking member on the Health Subcommittee who is in a hearing right now, and JOE

BARTON, the ranking member, that we have all made advances and worked closely with Chairman DINGELL to mitigate what we believed were some significant problems with the legislation as it was introduced.

Among other items, we wanted to make sure that any use of information by certain entities regulated under the Health Insurance Portability and Accountability Act not also be regulated by the Equal Employment Opportunity Commission under title II of the bill. Such dual regulation of the use of information would have been highly disruptive and certainly inappropriate.

We also made numerous clarifications to make sure that the new regulatory scheme did not disrupt reasonable and needed activities by health plans to improve health care, coordinate benefits, process benefits, or educate beneficiaries. It is important for the Congress to be mindful that we are not writing on a blank slate each and every time that we launch one of these new regulatory and liability schemes. And I certainly join many here that are satisfied that these important improvements made by the Committee on Energy and Commerce are preserved in the bill. I want to commend the bipartisan and bicameral discussions that led to this compromise, and I would urge that we all support it when a roll call vote comes.

At this point, I would yield the balance of our time that our committee controls to my friend from Illinois (Mrs. BIGGERT).

The SPEAKER pro tempore. Without objection, the gentlewoman from Illinois will control the time.

There was no objection.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentlewoman from Pennsylvania, Ms. ALLYSON SCHWARTZ.

Ms. SCHWARTZ. Today, Americans buy health coverage believing they are doing the right thing and expecting that they have secured access for needed health services for themselves and their family. But, unfortunately, this is simply not always true. Individuals, regardless of their age or circumstances, are denied health coverage every day due to the evidence or existence of preexisting conditions. This could be anything from asthma to heart disease, and it could affect anyone from our Nation's children to our grandparents to each of us.

For more than 10 years, the Health Insurance Portability and Accountability Act has provided protection for some individuals and families to ensure this information is not used to deny health coverage by either an employer or an insurer; but gaps still remain.

With the evolution of biomedical research, our Nation's scientists have discovered opportunities to use genetic information to prevent, diagnose, and more effectively treat some of the most devastating diseases of our lifetime. I am honored to represent some of these most brilliant researchers and scientists in Southeastern Pennsylvania.

In addition to the great medical potential they are exploring, genetic information also has the potential to reduce health care costs with better prevention and disease management. We must ensure that these new revelations do not come with a price: Discrimination by employers, insurers, schools, or others based on genetic information of those who are not even sick but are simply identified as being predisposed to a specific disease. If we do not reassure our fellow Americans that they are safe in taking full advantage of the opportunities provided by exploring the genetic information, then these advances in biomedical research could well be for naught.

For this reason, I applaud my colleague, Representative SLAUGHTER, for introducing the Genetic Information Nondiscrimination Act and for being its champion for so many years. I am proud to support its passage today. It is important for all Americans and their access to health coverage.

Mr. CAMP of Michigan. Madam Speaker, I yield myself such time as I may consume.

As many of my colleagues have stated, passing this bill is an important step forward in protecting the health of every American. We should be proud of our efforts to work on a bipartisan basis to craft this legislation, and I want to recognize the efforts of the gentlewoman from Illinois, Congresswoman BIGGERT. This bill should be a model for our efforts to reform health care.

We all agree that individuals should not be discriminated against on the basis of their genetic information. Employers and insurers should not be allowed to use genetic markers to deny employment or health coverage simply because they possess a particular gene. But genetic information can also be used to help patients. Health plans have an ability to interact with both patients and providers to highlight recommended tests and courses of action.

For example, a person that has a gene for a certain type of cancer would be recommended to receive more frequent cancer screenings. Knowing this, the health insurer would know to approve coverage for these additional screenings because they would be at a higher risk of developing that type of cancer.

We all preach about transforming medicine to provide more preventative care. Now, we are finally at a point where medical technology can be effectively used to deliver the preventative care that we envision.

I am certain that the use of genetic information is just the tip of the iceberg. As medicine develops, so must our laws and regulations; yet, we must be careful not to stifle these promising medical advances. I am confident that we can both protect patient privacy and improve the delivery of health care as this legislation does.

With that, I yield the remaining time from my committee to the gentlewoman from Illinois to control.

The SPEAKER pro tempore. Without objection, the gentlewoman from Illinois will control the time.

There was no objection.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from New Hampshire (Ms. SHEA-PORTER), a member of the committee.

Ms. SHEA-PORTER. Madam Speaker, I rise today in support of H.R. 493, the Genetic Information Nondiscrimination Act.

As a member of the Education and Labor Committee, I knew that we had served the American people well when the committee passed this bill and then the House passed it almost unanimously in April 2007. Now, a year later, we are on the verge of sending this important legislation to the President with overwhelming bipartisan support in both Chambers.

□ 1145

Science and medicine have made great strides in recent years, especially with regard to genetic mapping and research. The potential for finding the answers we desperately seek for so many diseases and afflictions is greatly increased by the research being done. However, in order for these efforts to be successful, the public must be assured that these new discoveries will help and not hurt them.

Science will soon be able to tell us about many more diseases that individuals are genetically predisposed to develop. That information should be used only for the public good. It must not be used by companies to pick and choose who gets insurance or who gets discriminated against. They should not be allowed to charge higher insurance premiums because of somebody's individual genetic makeup.

This critical piece of legislation will protect individuals from discrimination. This is an important step that Congress is taking today, and I am very happy that we are doing this in a unified spirit. I commend Congresswomen Slaughter and Biggert for their efforts here. And I would also like to thank Chairman MILLER and my colleagues on the Education and Labor Committee for their work on this and so many other important issues. I urge my colleagues to vote ''yes.''

Mrs. BIGGERT. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in strong support of H.R. 493, the Genetic Information Nondiscrimination Act, which will prohibit health insurers and employers from discriminating on the basis of genetic information.

As many of my colleagues are aware, this legislation has been around for quite some time. I have been working on for it more than 7 years, and Congresswoman SLAUGHTER has been working on it for more than 12 years. It's been a long road, and there have been

many times I thought this day would never come; but it is here.

Over this period of time, I have heard stories from my constituents and other individuals across the country about how genetic information was affecting their lives. Quite simply, they are stories of how our laws have failed to keep pace with medical science.

A breast cancer survivor in Chicago told me that even though her doctor recommended she undergo a genetic test to see if she had a 60 percent chance of developing ovarian cancer, which was quite common in the type of breast cancer that they had, she refused the test. She said I can't, I will lose my job.

It isn't that she didn't want to know; quite the opposite. She desperately wanted to know, but she feared if she had an adverse result from the test, she would lose her job. She is not alone; studies show that 85 percent of Americans fear employers will use genetic information to discriminate.

And then there is the woman from Missouri whose sister had suffered from cancer was cautioned by her doctor that undergoing genetic testing would cause her to lose her health insurance. She too chose not to undergo a genetic test. She is not alone; studies show that 84 percent of Americans express concern that health insurance companies would deny coverage based on genetic information.

And then there is the man with a family history of PKD, decided to take a genetic test but chose to use an alias and pay cash rather than bill his insurance just to keep the test out of his medical file. And he also is not alone; 26 percent of genetic counselors themselves admit that they would use an alias and 68 percent said they would pay for the test out of their pocket to protect themselves from discrimination.

The dean of a prominent university in Massachusetts told me that the fear of genetic discrimination was hindering clinical trials, slowing the development of life-saving techniques. At NIH, fear of genetic discrimination is the most common reason people cite for not participating in clinical trials on breast and colon cancers.

Madam Speaker, I have heard these stories over and over again from individuals wanting to know their genetic risk of developing diseases as far ranging as cancer, heart disease, diabetes, Parkinson's, Alzheimer's, Tay-Sachs, and PKD.

The sad fact is that these individuals are avoiding genetic tests that would empower them with the information that could save their lives.

So I want to let all people know that when the House passes GINA today, we will be just one step away, and that would be the signing by the President, from realizing the medical benefits of genetic testing. One step away from ensuring that people will be able to take a genetic test without risking their jobs and health insurance. One step away from ensuring that patients can stop using aliases and paying out of pocket to keep their genetic tests secret. One step away from ensuring that individuals will be able to participate in genetic clinical trials without fear of discrimination.

And the last step is the President's signature, and I am happy to say that he is expected to sign this bill.

Madam Speaker, it is clear to me that by passing GINA and freeing people from fear of genetic discrimination, we can unlock the tremendous life-saving and cost-saving potential of genetic research. More Americans will participate in genetic clinical trials, and more Americans will use these technologies to improve their health.

And with these improvements comes the prospect of dramatically reducing the chronic care costs that cripple our health care system. We now have more than 500 different health advocacy and business organizations supporting this bill. Recent surveys shows that 93 percent of Americans believe that employers and insurers should not be able to use genetic information to discriminate.

With numbers like these, it should be no surprise that the House passed this bill last April 420–3, and the Senate passed it last week 95–0, and the President is expected to sign this measure into law.

Madam Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY), a subcommittee Chair in the Committee on Education and Labor.

Ms. WOOLSEY. Madam Speaker, we have been waiting for this day for over a decade. Finally we are here, and we are about to pass H.R. 493, the Genetic Information Nondiscrimination Act that we called GINA which was first introduced by Representative SLAUGHTER in 1995 and which was approved by the Senate last week.

It has been a long road, but the main sponsors of the legislation, Representative SLAUGHTER and Representative BIGGERT have persevered, and I congratulate them both.

I am proud to be an original cosponsor of GINA which will prohibit employers from using genetic information to discriminate against workers, and will also prohibit health insurers from using such information to raise premiums or to deny coverage.

We know that many States, including my home State of California, prohibits employers and health insurers from discriminating on the basis of genetic information, and that is good, but these laws vary widely.

So it is important for the Federal Government, as it has with title VII and the Americans with Disabilities Act, ADA, to step forward to establish a national policy, making it clear that discriminating against workers and others based on genetic information is unacceptable.

Madam Speaker, this bill also contains the provisions of H.R. 2637, the Child Labor Protection Act of 2007. It was a bill I introduced last year that passed the House in June of 2007.

The provisions in H.R. 2637 will increase civil penalties from $11,000 to $50,000 for violations that cause the death or serious injury of a child worker, as if there is any penalty high enough to make up for a child.

The legislation, though, provides that a penalty can be doubled when the violation causing death or injury is repeated or willful. The child labor bill was a narrowly drafted bipartisan effort. It is a good foundation for future action on child labor laws.

So I am delighted that part of GINA includes my legislation, legislation that can be used to offset the costs of GINA.

We are living, Madam Speaker, in an exciting age. We have just begun to tap the potential of genetic testing. This bill adds the protection that is needed so this research can go forward and be used wisely.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank the chairman for yielding, and I rise in strong support of this legislation. I would like to thank all of those involved in bringing us to this point, Ms. SLAUGHTER, Mrs. BIGGERT, and I especially want to mention Mark Zuckerman, Brian Kennedy, Michelle Varnhagen, and Carlos Fenwick from our staff who worked so hard on making this a reality. Thank you very much for your good work.

This is about as basic as it gets. It is a fundamental principle in this country that when you walk in and apply for a job, you shouldn't be judged on the color of your skin, your gender, your sexual orientation, your ethnicity, your age, or your religion. To that today we are adding the notion of your genetic background.

I think most Americans would understand as a matter of simple common sense that if your grandmother had breast cancer, it should be irrelevant as to whether you get a job or not. If your grandfather was diabetic, it should be irrelevant as to whether you get health insurance or not, and under what terms.

This simple, powerful, commonsense idea that is embodied in this legislation will become embodied in the law very shortly because of the good work that is being done here.

Beyond the basic fairness, the basic principle that we should be judged by our abilities and not by our characteristics, is the point that we discussed earlier during the rule debate. Many Americans justifiably fear that if they share their genetic information with

researchers, that information may wind up hurting them. It may wind up depriving them of a job, depriving them of health insurance, or raising their health insurance premiums.

The very significant protections that are in this bill, soon to become law, will provide a level of assurance for Americans that when we participate in genetic research, as I have by donating my DNA sample to the Coriell Institute in Camden, New Jersey, that we will be protected against misuse of that information.

This unlocks an exhilarating potential for finding the cure for all kinds of diseases and afflictions that have hurt so many people for so long. So I believe this is a singular achievement. It is an honor to be a part of it, and I know that generations of Americans will benefit not only from the simple fairness that this law will impose in the workplace, but for the great potential that this law will unlock for the investors and inventors and researchers of this country.

No American should ever be denied a job or health insurance or a promotion because of their genetic characteristics. Because of our actions today, this will become the law.

I thank the chairman for his leadership. I thank Mrs. BIGGERT for her leadership and Chairwoman SLAUGHTER as well, and urge a ''yes'' vote in favor of this legislation.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from New York (Mr. ENGEL), a member of the Energy and Commerce Committee.

Mr. ENGEL. Madam Speaker, as a member of the Energy and Commerce Committee and a member of the Health Subcommittee, I thank my friend, the distinguished chairman of the Education and Labor Committee, for allowing me time under his leadership.

I am a proud cosponsor of this bill. I am pleased to see it moving forward after more than a decade of advocacy.

While researchers' ability to identify genetic markers for diseases has given hope and promise to millions of people regarding how to make more informed choices about their personal behavior, the promise of this breakthrough is hindered, as many of my colleagues have said, by well-founded fears of how information may be abused in the employment and insurance industries.

While many states, including my own home State of New York, have laws which prohibit discrimination in health insurance, and by employers based on genetic testing and information, it is clear that the laws are not fully comprehensive and that Federal action is necessary, certainly to make it more uniform across all 50 States.

□ 1200

Fear should not be a deterrent to knowledge. Disregarding available tests for fear of discrimination prevents citizens from making smarter, personalized choices about their own well-being. We know too much to subscribe to one-size-fits-all medicine. And once again, it should be our physicians, not our insurance companies, who influence our health care decisions.

This is a wonderful bill, very much overdue for enactment, years and years and years in the process. It's supported by hundreds of patient advocate groups, and will make a true impact on the health care of our Nation.

I urge all my colleagues to support the bill.

I yield back the balance of my time.

Mrs. BIGGERT. I have no further speakers, and I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a member of the Education Committee.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise in strong support of the Genetic Information Non-Discrimination Act, and thank my colleague, Congresswoman SLAUGHTER, for her tireless work term after term to support this bill and ensure that it would eventually become law.

Over the past several years, genetic discoveries have progressed at a remarkable rate. Today, doctors and scientists have the ability to detect genes linked to common conditions like colon cancer and heart disease. Individuals who learn about their genetic risk factors can make lifestyle changes and begin treatments that prevent these conditions altogether.

But too many Americans don't take advantage of these amazing breakthroughs for a very practical reason. They fear that the information will be used to deny them health insurance or even a job.

While the best way to allay those fears would be to enact universal health care coverage for all, this bill is a fantastic first step.

By prohibiting discrimination on the basis of our genes, this bill will improve the chances that average Americans can benefit from cutting edge genetic science. It will promote better health care by helping Americans feel secure enough to learn about their genetic risk factors.

As the daughter of a father who suffers from Alzheimer's and a mother who suffers from arthritis, I personally understand the need to make genetic testing a positive step in understanding one's genetic predispositions and making health care choices. Genetic testing should not be a hindrance to getting or keeping one's job or health care benefits.

While this bill will accomplish many great things, I want to point out just two very important ones. Number 1, it will arm people with necessary and relevant information about their own health. And Number 2, it will ensure that people won't be penalized for seeking and using this valuable information.

I urge all my colleagues to support the Genetic Information Non-Discrimination Act.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 2 minutes to the gentleman from Pennsylvania (Mr. SESTAK), a member of the Education and Labor Committee.

Mr. SESTAK. Mr. Speaker, the completion of the human genome project 5 years ago made it possible to identify specific genes that trigger diseases later in life. However, out of at fear of losing their jobs or their health insurance, studies have shown that many Americans forego the potential health benefits of genetic testing.

While involved in a course at the University of Pennsylvania on genetic discrimination, the position paper Dr. Ruth Cowan's students presented to me reemphasized that this concern of genetic discrimination risks stifling further scientific advances in genetic based research.

No genetic nondiscrimination laws in health care, such as in my State of Pennsylvania, may mean foregoing cures based upon genetic research. With a young daughter who underwent treatment for a malignant brain tumor recently, I understand why, as scientific technology advances, discrimination cannot grow with it, or we harm not only the quality of life, but life itself.

With State laws varying in how to maintain the privacy of genetic information, the Genetic Information Nondiscrimination Act will set a national standard and take the first step toward advancing the scientific and health benefits of genetic research and protecting the genetic privacy of Americans.

I urge all my colleagues to support this bill.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

Mr. Speaker, today we are celebrating, or we will shortly with a vote on the Genetic Information Nondiscrimination Act, known as GINA. And today we celebrate it with a great sense of unanimity and agreement about this legislation. But that clearly was not always true over more than the past decade.

This legislation has been controversial to some. It has had a shifting body of opponents to it over those many years. There are many who tried to ascribe attributes to this legislation that either wasn't intended to address or didn't exist at all. But the opposition was formidable.

But when we celebrate the passage of this legislation today, we must also celebrate the spirit of two women in the House of Representatives that persevered through all of the political debate, as hot it was from time to time, through all of the controversy, through much of the ignorance and misinformation about the legislation, but who, throughout that entire decade, understood the promise of this legislation,

both to those who would not be discriminated against in the future, but also the promise in terms of medical research and information that would become available to promote, not only cures and treatment, but greater scientific understanding of the genome and our make-ups and its impact on our health.

And those two women were Congresswoman LOUISE SLAUGHTER from New York, and our colleague who is with us in the Chamber today, JUDY BIGGERT from Illinois.

It's one thing to stand here and say we all agree today. But that wasn't the case, and that was what they kept pushing against year after year to get the Congress to understand the importance of this legislation. We come to that understanding rather late, when you consider that many of the States have taken the steps, many Nations have taken this step, but it's terribly important that we do it so people will be assured that no worker will be discriminated against because of his or her genetic information.

As I mentioned, 41 States have already led the way in passing laws to prohibit discrimination to individual health insurance markets. 34 States have passed laws to prohibit employers from discriminating in the workplace. And the Federal Government has banned discrimination against Federal Government employees. Every American deserves this protection.

In the last two decades we've seen incredible scientific advances in the diagnosis and the treatment of once untreatable, undetectable conditions. Scientists now have the incredible ability to identify genetic markers for disease that could and may never occur. Genetic testing can also help prevent diseases by identifying them early.

Despite this amazing potential of genetic testing, advancements have been stifled out of fear of what some may do with the results of those tests. Many Americans forego testing because of that fear, the fear of losing their jobs, the fear of losing their health insurance.

We pit that against the knowledge, the discovery and the treatment that would have been possible to those individuals, but the fear prevented them from coming forward. And this is not an isolated fear.

A 2006 research study showed that 85 percent of the respondents believe that without protections, employers would use genetic information to discriminate. 64 percent believe that insurers would use the information to deny critical coverage.

The Genetic Information Nondiscrimination Act is clear. Title I of the bill prohibits group health plans and insurers from collecting or requesting genetic information with narrow exceptions. It also protects the privacy of this personal information.

Title II of the bill prohibits employers from collecting or using their employees' genetic information. It also prohibits employers from discriminating against employees in hiring, firing and other terms of conditions of employment based upon the genetic information.

This final bill makes it clear that, even though employers may not be held accountable for violations committed by health plans under title I, employers remain fully liable for any violations of title II, including violations involving health benefits.

It is well settled in this country's employment discrimination laws, such as title VII, the Age Discrimination Employment Act and the Americans with Disabilities Act, that it is unlawful for employers to discriminate against employees in their health benefits.

We intend for the courts to continue to interpret employer obligations under GINA similarly to all other civil rights laws. GINA will protect workers like David Escher, a former worker at the Burlington Northern Santa Fe Railroad, who discovered his employer was trying to prove his injury was caused by a genetic disorder rather than work-related injury. This is precisely the type of discrimination and misuse of genetic information that we seek to prohibit in this bill.

The protections provided by GINA are long overdue, and Representatives SLAUGHTER and BIGGERT have fought, over this last decade, for these important changes, these important provisions in the law. And I want to thank them for all of their hard work.

I also want to take a moment to thank the members of my staff, Michelle Varnhagen, Mark Zuckerman, Brian Kennedy, Jody Calemine and Michael Gaffin for all of their efforts.

From Congressman ANDREWS' staff, Carlos Fenwick.

Congresswoman SLAUGHTER's staff, Michelle Adams, Cindy Pelligrini.

From Congresswoman BIGGERT's staff, Brian Petersen, Jaime Vickery.

And from Congressman MCKEON's staff, Ed Gilroy and Jim Paretti.

From Congressman DINGELL's staff, Pete Goodloe, Jeanne Ireland, Jessica McNiece, Gregg Rothchild, and John Ford.

From Congressman FRANK PALLONE's staff, Bobby Clark.

From Congressman RANGEL's and STARK's staff, Cybele Bjorklund and Deb Mizeur for all of their assistance.

And in the Senate, from Senator KENNEDY's staff, Dave Bowen, Portia Wu and Lauren McFerren.

And from Senator SNOWE's staff, Bill Pewen.

And from Senator ENZI's staff, Ilyse Schuman and Keith Flannagan. And legislative counsel, Ed Grossman, Larry Johnson and Henry Christrup, for all of their assistance and all of the effort that they put in to making the changes and the distinctions between the actions in the House and the Senate, and all of the controversy that this brought with them.

With that, I'd like to reserve the balance of my time so that Ms. BIGGERT may make her closing remarks. And again, I want to thank her so much. Her membership on our committee makes us very proud. And her political toughness to see this through to the end, along with LOUISE SLAUGHTER, is a wonderful story that we celebrate also with the passage of this legislation.

I reserve the balance of my time.

Mrs. BIGGERT. I thank you, Mr. Chairman, for your kind words. And it's been a long road, but we're here, and with your help.

Just let me say that there's three benefits that are so important for this bill. Number one is that people will get a genetic test. And if it shows that they have a propensity for having some disease, they can then take preventive measures and take measures that are going to improve the quality of their life. And it's personalized medicine. People have got to take command of their medical lives.

Second of all, because people will take preventive measures, this is going to reduce the cost of health care. It's going to reduce the cost to businesses because their employees will be taking these preventive measures, and it's going to reduce the cost to health care providers because people, again, will be taking these measures.

And as I said before, through the clinical trials, it will increase the ability to find cures for so many diseases if people get into these.

So with that, I would really like to take a moment to thank Representative SLAUGHTER, Chairman SLAUGHTER of the Rules Committee one more time, GREG WALDEN of Oregon who has been a major sponsor of this bill, Congressman ANDREWS of New Jersey, who has been so helpful, and Mrs. ESHOO from California, who has been so involved. And then Senator SNOWE, Senator KENNEDY and Senator ENZI for all their hard work on this issue. It's truly been a pleasure to work with all of them.

I would also like to thank Mr. MCKEON and Mr. MILLER again, the chairman and ranking member of the Education and Labor Committee, for all their support. And then the other chairmen, Congressman DINGELL and Congressman BARTON of the Energy and Commerce Committee, and Mr. UPTON of Michigan for coming down and working on this today. And then Chairman RANGEL and ranking member MCCRERY of the Ways and Means Committee, and then Representative CAMP for being the spokesman for them. I applaud them for all their efforts.

I would also like to thank former Speaker Newt Gingrich, who has been so supportive of this legislation. And I would be remiss if I didn't mention Sharon Terry and the Coalition for Genetic Fairness, as well as all of our other organizational supporters, for all their persistence and their expertise on this issue.

And Dr. Francis Collins of NIH for his testimony before all three committees in the House.

□ 1215

Finally, I have to thank the staff, all of the staff, who worked so tirelessly for years now behind the scenes on our behalf and put in long, long hours on this legislation. And in particular, my thanks go to Michelle Varnhagen and Jim Paretti from the Education and Labor Committee staff, and then Michelle Adams from Ms. SLAUGHTER's staff, and Brian Peterson of my staff.

There's so many reasons why everybody should vote for this, and certainly having passed the House by 420–3 last April and the Senate 95–0, you say, This is a no-brainer; why didn't this happen a long time ago? And what's been alluded to is to get three committees in the House of Representatives to work on all of the issues, and they are so technical in how they relate to each other and how it relates to privacy and the other HIPAA and ADA and all of the things that had to be brought in here, I think everyone works so hard just to have a wonderful result. And it's no surprise that we're here, but it just took a long time.

With that, I would urge all my colleagues to vote for this measure.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I also would be remiss if I did not thank Dr. Francis Collins for all of his work and assistance and guidance to the Congress on this matter and for everything else he does in such a wonderful fashion.

Ms. PELOSI. Mr. Speaker, I rise today in strong support of the Genetic Information Nondiscrimination Act.

I would like to thank Congresswoman LOUISE SLAUGHTER for her outstanding leadership on this issue. For 13 years, she has worked to pass this bill protect Americans from genetic discrimination. She's both the powerful chair of the Rules Committee, and a microbiologist, so she knows what she is talking about.

The sequencing of the human genetic code is one of the great scientific accomplishments in the history of the world. It has the potential to treat and prevent disease. It is evidence of science's almost-biblical power to heal.

But with this scientific breakthrough comes a responsibility to protect Americans from the misuse of their genetic information. Today, the Congress will begin to fulfill that responsibility by passing this legislation.

This legislation prevents health insurers from adverse coverage or pricing decisions based on a person's genetic predisposition toward a disease. It ensures an employer cannot make adverse employment decisions based on what is in a person's genetic code. It also makes it illegal for an insurer or employer to request or demand a gene test.

Because of this legislation, Americans will be free to undergo genetic testing for diseases such as cancer, heart disease, diabetes, and Alzheimer's, without fearing for their job or health insurance. There is life-saving information in those tests. And for scientists, there is information that allows for huge breakthroughs.

This legislation is supported by the vast majority of the American people, 93 percent of whom do not want employers to have access to their genetic information.

This is such good policy that this legislation is supported by more than 500 organizations, including a broad coalition of civil rights and religious organizations. Health advocacy groups ranging from the American Academy of Pediatrics to the March of Dimes to the Susan G. Komen Breast Cancer Foundation have endorsed it.

In the Congress, it has broad bipartisan support. It also has the support of the President.

Let us not wait another day to pass this legislation so it can move to the President's desk for his signature and become law.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of H.R. 493, the Genetic Non-Discrimination Act. This bill is the product of 10 years of hard work by my colleague Ms. SLAUGHTER and I applaud her for her efforts to pass this bill.

The sequencing of the human genome was an amazing scientific advancement, and has contributed to the rise of genetic testing to inform patients of their proclivity for disease.

Thanks to genetic testing, individuals with a risk of an illness can take precautionary steps ahead of time to ward off disease, which will contribute to lower health care costs over time.

However, it is critical that we protect individuals from any discrimination that could result from the information these tests reveal.

The results should not be used by health insurers to deny anyone coverage or increase their premiums because of a pre-disposition to a certain disease.

And the results should not be used by employers to discriminate against employees based on their predisposition to disease.

The passage of this bill will encourage individuals to seek genetic testing if they so desire without fear of losing their health insurance and give them the ability to seek early medical treatment.

One segment of the health care marketplace was excluded from the bill's protections—the long-term care insurance market. This bill was never intended to regulate the long-term care insurance market, and I understand that current statute treats long-term care insurance differently.

However, individuals that determine that they are at high-risk for developing Alzheimer's disease will undoubtedly begin planning for their long-term care and probably purchase long-term care insurance.

Despite all of the good intentions in this legislation, the bill would allow long-term care insurance underwriters to refuse to cover or charge individuals predisposed to such disease higher premiums for a disease they have yet to develop and may never develop.

As we move forward, Congress should ensure that future legislation extends the patient protections inherent in this bill to consumers who want to plan for their future and purchase long-term care.

With that, I am pleased to support this important legislation and send this bill to the President.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 493, the Genetic Information Nondiscrimination Act, which extends crucial Federal protections against discrimination based on an individual's genetic information.

The new millennium has seen unprecedented scientific advances in genetic research that have brought a renewed hope of solving today's most difficult medical puzzles. Since the human genome was fully mapped in 2003, many in the scientific and medical communities have viewed genetic medicine as the next step toward finding better diagnoses, treatments and possible cures for a wide spectrum of diseases. These advances have also raised legitimate ethical concerns about the potential misuse of genetic information in workforce and insurance related decisions. Although current law already addresses certain aspects of this issue, the importance of protecting individuals from discrimination and safeguarding the right to privacy cannot be overstated.

This bill will guarantee more comprehensive protections from discrimination in health insurance and employment on the basis of genetic information. Specifically, it will prohibit group health plans and health insurers from denying coverage to a healthy individual or charging that person higher premiums based solely on a genetic predisposition to develop a disease in the future. Furthermore, it bars employers, employment agencies, labor organizations or training programs from using an individual's genetic information when making hiring, firing, job placement or promotion decisions.

Genetics is a field of study that offers tremendous promise for medical advancement, but we must give thoughtful consideration to the implications of these emerging discoveries on society. No individual should fear discrimination based on genetic technologies. H.R. 493 will allay concerns about the potential for discrimination, encourage individuals to participate in genetic research, and take advantage of genetic testing, new technologies, and new therapies. I thank Congresswoman SLAUGHTER for her leadership on this issue and urge my colleagues to support its passage.

Mr. STUPAK. Mr. Speaker, I rise in support of H.R. 493, the Genetic Information Nondiscrimination Act, GINA.

After 13 years—this bill will finally make its way to the President's desk, to help protect families from genetic discrimination.

Congratulations to the Congresswoman from New York, Ms. SLAUGHTER, for her work in drafting this bill and guiding it through the cumbersome referral to three committees.

Together, with Chairman DINGELL, Ms. DEGETTE and Mr. SMITH, we were able to include an important provision to protect families from unfair treatment on the basis of the genetic material of their fetuses or children in the process of adoption.

Without this bill, families may face genetic information discrimination from testing of embryos and fetuses, as well as children who are in the process of adoption.

As genetic testing becomes increasingly common, these provisions will ensure that genetic material gathered through pre-implementation genetic diagnoses, amniocentesis, or other future techniques is not used to limit families' access to health care.

Again, I thank Ms. SLAUGHTER for her commitment to reflect these changes throughout the bill in order to avoid any further confusion as to whether or not families can be discriminated against on the basis of the genetic material of their unborn child or child under consideration for adoption.

I was proud to work with many Members to include this provision.

I encourage my colleagues to vote for this important legislation.

Mr. KENNEDY. Mr. Speaker, I rise today in strong support of H.R. 493, the Genetic Information Nondiscrimination Act. I would like to thank my good friends and colleagues, Representative LOUISE SLAUGHTER and Representative JUDY BIGGERT, for their tireless advocacy to bring this bill to the House floor today and then on to the White House for President Bush's signature.

There is nothing more personal and more deserving of protection than the genetic makeup of each and every individual in our Nation. Advances in science and technology during the past decade have allowed us to map the human genome and opened the doors to treatment and diagnostic capabilities that we are only now beginning to realize. With this power comes great responsibility to protect individuals who learn that they may be more susceptible to diseases such as breast cancer or mental illness.

Just as our Nation does not allow discrimination based on race or disability, we must not allow discrimination based on our own genetic identity. The Genetic Information Nondiscrimination Act will prevent health insurers and employers from improperly using our genetic information to make coverage or employment decisions. I urge my colleagues to support this protection of our most basic human right by voting for H.R. 493.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong support of the Senate amendment to H.R. 493, the Genetic Information Nondiscrimination Act.

This bipartisan legislation is long overdue. Recent scientific breakthroughs in sequencing the human genetic code have already transformed the battle against a broad range of medical conditions. Scientists have now identified genetic markers for a variety of chronic health conditions which will increase the potential for early treatment and prevention. However, as much as these advances will improve health care delivery in this country, it has increased the potential for employers and insurers to discriminate based on an individual's genetic makeup. Such a threat deters the public and science from taking full advantage of the life-saving and cost-saving potential of genetic research.

That why we need to pass this much-needed bill. Discriminating against someone because of their DNA is simply unacceptable. Mr. Speaker, I urge colleagues to support this bipartisan legislation so that Americans do not have to live in fear of losing their job or health insurance because of their genetic predisposition towards certain medical conditions.

Mr. CAPPS. Mr. Speaker, I rise in strong support of the Senate amendment to H.R. 493, the Genetic Information Nondiscrimination Act.

The identification of genetic markers for disease is one of the most remarkable scientific accomplishments we have made. And this ability to identify risks for certain conditions holds so much promise for our ability to identify and practice greater preventive health care in this country. I can never emphasize enough just how important preventive health care is to our well-being.

However, as with almost all great scientific advancements, we have also opened the door to a whole slew of unintended consequences. And I fear that preventive health care is put at risk when patients decline genetic testing for fear of insurance or employment discrimination.

This bill before us will put aside those fears by offering protection from employment discrimination and closes the loopholes that deter individuals from pursuing information that can save their lives and the lives of others. After all, the biomedical research community is in dire need of greater clinical trial participation. But many patients are wary because they worry that participation in a clinical trial will reveal a genetic predisposition that employers or insurers can use as a basis for discrimination.

H.R. 493 will provide individuals the security of knowing that they can take advantage of genetic testing and participate in research without the fear that their employment or insurance status be put at risk.

I commend my colleagues LOUISE SLAUGHTER, JUDY BIGGERT and ANNA ESHOO for their tireless work on this bill over the last 13 years. I urge all of my colleagues to vote in favor of H.R. 493.

Ms. SPEIER. Mr. Speaker, Congress today is making an important first step toward protecting Americans from discrimination based on their genetic information. I support this bill and the premise that a predisposition to disease should never be a factor in access to employment or insurance coverage.

However, this is only a first step. I am compelled to remind this House, and all Americans, that this bill does not guarantee genetic information will not be abused by employers or insurers. The passage of this legislation should not give consumers a false sense of security.

Until access to health care is available regardless of current or future health conditions, the potential for genetic discrimination will remain. And until we completely limit access to employee health records, there will be the potential for discrimination by employers.

Mr. Speaker, passage of the Genetic Information Non-Discrimination Act today is a strong step toward protecting sensitive genetic information, but no journey is completed in just one step. I look forward to addressing the underlying problems not fixed by this bill so we can truly protect Americans' privacy and guard against discrimination based on preexisting health conditions.

Ms. BALDWIN. Mr. Speaker, I rise today in strong support of the Genetic Information Nondiscrimination Act.

The scientific advancement that has been made in sequencing the human genome is groundbreaking. We have only just begun to understand how we can harness the vast amount of information that is included in our genetic code to benefit human health and longevity. The ability to predict disease will greatly increase our opportunities for early treatment and prevention efforts and this can have a real impact on people's lives.

So I am proud to support the Genetic Information Nondiscrimination Act. This bill will provide strong protections to prevent employers and insurers from denying health coverage or job opportunities on the basis of predictive genetic information. Providing this protection will ensure that Americans are not unfairly penalized, either by health insurers or by employers, for something that is a part of their genetic makeup. In addition, these protections will encourage individuals to participate in genetic research, which will lead to new technologies and new therapies.

This important nondiscrimination protection is necessitated by the advancements in science, like the mapping of the human genome. And Congress is responsible for making sure that our laws keep up with these scientific advancements, so that we can fully realize the value of these discoveries.

Mr. Speaker, I am proud to support the Genetic Nondiscrimination Act, and I urge my colleagues to join me in voting in favor of it.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PASTOR). All time for debate has expired.

Pursuant to House Resolution 1156, the previous question is ordered.

The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. 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, this 15-minute vote on the motion to concur will be followed by 5-minute votes on ordering the previous question on House Resolution 1167; adopting House Resolution 1165, if ordered; and suspending the rules and adopting House Concurrent Resolution 308.

The vote was taken by electronic device, and there were—yeas 414, nays 1, not voting 16, as follows:

[Roll No. 234]

YEAS—414

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
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
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gingrey
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
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
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
Marchant
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
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
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
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
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—16

Barrow
Blackburn
Burgess
Cubin
Deal (GA)
Doggett
Forbes
Fossella
Gohmert
Honda
Israel
Jones (OH)
LaHood
Payne
Rush
Wilson (NM)

□ 1240

Ms. FOXX and Mr. BURTON of Indiana changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1167, 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.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 190, not voting 15, as follows:

[Roll No. 235]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
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
Dingell
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
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)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
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
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
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—190

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
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
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
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—15

Barton (TX)
Blackburn
Cubin
Deal (GA)
Doggett
Forbes
Fossella
Gohmert
Honda
Israel
LaHood
Payne
Rush
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1248

Mr. MARCHANT changed his 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. Mr. 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 228, nays 189, not voting 14, as follows:

[Roll No. 236]

YEAS—228

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
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
Dingell
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Inslee
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
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
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
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
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—189

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hulshof
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
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—14

Bilbray
Blackburn
Cubin
Deal (GA)
Doggett
Forbes
Fossella
Honda
Israel
LaHood
Payne
Rush
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1257

Mr. GOHMERT changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was placed on the table.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 308, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 308.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 19, as follows:

[Roll No. 237]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
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)
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
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
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
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
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
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
King (IA)
King (NY)
Kingston
Kirk

Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
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
Marchant
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
Nunes
Oberstar
Obey
Olver
Ortiz
Pascrell
Pastor
Paul
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
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
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
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—19

Blackburn
Burgess
Cubin
Deal (GA)
Doggett
Ellison
Forbes
Fossella
Herger
Honda
Hulshof
Israel
LaHood
Pallone
Payne
Rush
Slaughter
Wilson (NM)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1304

So the concurrent resolution was agreed to.

The vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HERGER. Mr. Speaker, on rollcall No. 237, I was unavoidably detained. Had I been present, I would have voted "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 992

Ms. FALLIN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of House Resolution 992.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Oklahoma?

There was no objection.

CORRECTING ENROLLMENT OF H.R. 493

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 340) to make technical corrections in the enrollment of the bill H.R. 493.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 340

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 493 (to prohibit discrimination on the basis of genetic information with respect to health insurance and employment) the Clerk of the House of Representatives shall make the following technical corrections:

(1) In section 104(d)—

(A) in paragraph (2), strike ''June 30, 2008'' and insert ''October 31, 2008'';

(B) in paragraph (3), strike ''October 1, 2008'' and insert ''July 1, 2009''; and

(C) in paragraph (4)—

(i) in subparagraph (A)(ii), strike ''October 1, 2008'' and insert ''July 1, 2009''; and

(ii) in subparagraph (B)(ii)—

(I) strike ''in 2008'' and insert ''in 2009''; and

(II) strike ''July 1, 2008'' and insert ''July 1, 2009''.

(2) In section 202(b)(6), strike ''law enforcement'' and all that follows through ''and requests'' and insert ''law enforcement purposes as a forensic laboratory or for purposes of human remains identification, and requests''.

(3) In section 205(b)(6), strike ''law enforcement'' and all that follows through ''and requests'' and insert ''law enforcement purposes as a forensic laboratory or for purposes of human remains identification, and requests''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days during which Members may insert extraneous material on House Concurrent Resolution 340 into the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. This concurrent resolution makes two technical corrections to the GINA legislation just passed. First, with respect to the Department of Defense Labs, in our current bill, section 202(b)(6) and section 205(b)(6) of H.R. 493 provides an exclusion for an employer to conduct DNA analysis for law enforcement purposes as a forensic laboratory, which submits analyses to the Combined DNA Index System, known as CODIS, if the employer only uses that analysis of DNA identification markers for quality control to detect sample contamination.

However, we recently learned that the Armed Forces DNA Identification Laboratory, AFDIL, of the Armed Forces Medical Examiner System, which identifies soldiers' remains, would not be included in this exclusion because it does not submit DNA to the CODIS system.

It was not our intent to prevent the Armed Forces, AFDIL, from using DNA analysis for human remains identification. This technical change would allow them to continue their mission.

With respect to NAIC, the other change is a very minor one. Section 104 of the bill, dealing with Medigap, requires the National Association of Insurance Commissioners to modify their regulations to conform to GINA. The deadline for NAIC to make these modifications is June 30, 2008. If NAIC does not make these modifications by this timeframe, HHS would be required to make the modifications by October 1, 2008.

When this bill moved through the House last April, these deadlines were not a problem. However, with today being May 1, NAIC will not be able to meet the June deadline. Thus, the other change to this bill pushes back the NAIC and HHS deadlines until October 30, 2008, and July 1, 2009.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of House Concurrent Resolution 340. This resolution makes technical corrections to the Genetic Information Nondiscrimination Act, commonly known as GINA, the act that we just passed. Specifically, this resolution will clarify the use of genetic information at forensic laboratories used by law enforcement agencies. This technical correction ensures the Department of Defense will be able to use genetic information to identify the remains of American servicemen and women.

The recent DNA identification of Staff Sergeant Matt Maupin, missing since his capture in Iraq in 2004, offers us a painful reminder of why genetic information may be needed to identify the heroic men and women who give their lives in service to this Nation.

This is a simple, yet necessary change to a bill that enjoys the support of a vast majority of this body. Adoption of this resolution will allow this legislation to move forward.

The GINA bill marks a commitment by this Congress to ensure that the law protects American workers and health care consumers from discrimination on the basis of their genetic makeup. Because that goal is so critical, I support this resolution today, and urge my colleagues to do likewise.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 340.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

Mr. GEORGE MILLER of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

(1) On page 2, line 5, strike ''**AND GRADUATE**''

(2) On page 7, line 11, strike ''issued'' and insert: ''first disbursed''.

(3) On page 9, line 12, strike ''issued'' and insert: ''first disbursed''.

(4) On page 9, line 24 through page 10 line 11 strike and insert:

''(B)(i) EXTENUATING CIRCUMSTANCES.—An eligible lender may determine that extenuating circumstances exist under the regulations promulgated pursuant to paragraph (1)(A) if, during the period beginning January 1, 2007, and ending December 31, 2009, an applicant for a loan under this section—

''(I) is or has been delinquent for 180 days or fewer on mortgage loan payments or on medical bill payments during such period; and

''(II) is not and has not been more than 89 days delinquent on the repayment of any other debt during such period.

''(ii) DEFINITION OF MORTGAGE LOAN.—In this subparagraph, the term 'mortgage loan' means an extension of credit to a borrower that is secured by the primary residence of the borrower.

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed to limit an eligible lender's authority under the regulations promulgated pursuant to paragraph (1)(A) to determine that extenuating circumstances exist.''.

(5) On page 10, after line 24 insert:

(1) in paragraph (1), by inserting after the second sentence the following: ''No loan under section 428, 428B, or 428H that is made pursuant to this subsection shall be made with interest rates, origination or default fees, or other terms and conditions that are more favorable to the borrower than the maximum interest rates, origination or default fees, or other terms and conditions applicable to that type of loan under this part.'';

(6) On page 12, line 14, strike ''lenders willing to make loans'' and insert: ''eligible lenders willing to make loans under this part''.

(7) On page 13, after line 2 insert:

''(6) EXPIRATION OF AUTHORITY.—The Secretary's authority under paragraph (4) to designate institutions of higher education for participation in the program under this subsection shall expire on June 30, 2009.

''(7) EXPIRATION OF DESIGNATION.—The eligibility of an institution of higher education, or borrowers from such institution, to participate in the program under this subsection pursuant to a designation of the institution by the Secretary under paragraph (4) shall expire on June 30, 2009. After such date, borrowers from an institution designated under paragraph (4) shall be eligible to participate in the program under this subsection as such program existed on the day before the date of enactment of the Ensuring Continued Access to Student Loans Act of 2008.

''(8) PROHIBITION ON INDUCEMENTS AND MARKETING.—Each guaranty agency or eligible lender that serves as a lender-of-last-resort under this subsection—

''(A) shall be subject to the prohibitions on inducements contained in subsection (b)(3) and the requirements of section 435(d)(5); and

''(B) shall not advertise, market, or otherwise promote loans under this subsection, except that nothing in this paragraph shall prohibit a guaranty agency from fulfilling its responsibilities under paragraph (2)(C).

''(9) DISSEMINATION AND REPORTING.—

''(A) IN GENERAL.—The Secretary shall—

''(i) broadly disseminate information regarding the availability of loans made under this subsection;

''(ii) during the period beginning July 1, 2008 and ending June 30, 2010, provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives and make available to the public—

''(I) copies of any new or revised plans or agreements made by guaranty agencies or the Department related to the authorities under this subsection;

''(II) quarterly reports on—

''(aa) the number and amounts of loans originated or approved pursuant to this subsection by each guaranty agency and eligible lender; and

''(bb) any related payments by the Department, a guaranty agency, or an eligible lender; and

''(III) a budget estimate of the costs to the Federal Government (including subsidy and administrative costs) for each 100 dollars loaned, of loans made pursuant to this subsection between the date of enactment of the Ensuring Continued Access to Student Loans Act of 2008 and June 30, 2009, disaggregated by type of loan, compared to such costs to the Federal Government during such time period of comparable loans under this part and part D, disaggregated by part and by type of loan; and

''(iii) beginning July 1, 2010, provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives and make available to the public—

''(I) copies of any new or revised plans or agreements made by guaranty agencies or the Department related to the authorities under this subsection; and

''(II) annual reports on—

''(aa) the number and amounts of loans originated or approved pursuant to this subsection by each guaranty agency and eligible lender; and

''(bb) any related payments by the Department, a guaranty agency, or an eligible lender.

''(B) SEPARATE REPORTING.—The information required to be reported under subparagraph (A)(ii)(II) shall be reported separately for loans originated or approved pursuant to paragraph (4), or payments related to such loans, for the time period in which the Secretary is authorized to make designations under paragraph (4).''.

(8) On page 13, line 12, strike ''agency's'' and insert: ''agencies''.

(9) On page 14, line 3, strike ''adding at the end'' and insert: ''inserting before the matter following paragraph (5)''.

(10) On page 15, line 19, strike ''loans originated'' and insert: ''loans first disbursed''.

(11) On page 15, line 21, after ''October 1, 2003,'' insert: ''and before July 1, 2009,''.

(12) On page 16, line 1, after ''Federal Government'' insert: ''(including the cost of servicing the loans purchased)''.

(13) On page 16, strike lines 5 through 23, and insert the following:

''(2) FEDERAL REGISTER NOTICE.—The Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, shall jointly publish a notice in the Federal Register prior to any purchase of loans under this section that—

''(A) establishes the terms and conditions governing the purchases authorized by paragraph (1);

''(B) includes an outline of the methodology and factors that the Secretary, the Secretary of the Treasury, and the Director of the Office of Management and Budget, will jointly consider in evaluating the price at which to purchase loans made under section 428, 428B, or 428H; and

''(C) describes how the use of such methodology and consideration of such factors used to determine purchase price will ensure that loan purchases do not result in any net cost to the Federal Government (including the cost of servicing the loans purchased).''.

(14) On page 20, after line 9 insert the following:

SEC. 10. ACADEMIC COMPETITIVENESS GRANTS.

(a) AMENDMENTS.—Section 401A of the Higher Education Act of 1965 (20 U.S.C. 1070a–1) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ACADEMIC COMPETITIVENESS GRANT PROGRAM AUTHORIZED.—The Secretary shall award grants, in the amounts specified in subsection (d)(1), to eligible students to assist the eligible students in paying their college education expenses.'';

(2) in subsection (b)—

(A) by striking ''academic year'' each place it appears and inserting ''year''; and

(B) in paragraph (2), by striking ''third or fourth'' and inserting ''third, fourth, or fifth'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''full–time'';

(ii) by striking ''academic'' and inserting ''award''; and

(iii) by striking ''is made'' and inserting ''is made for a grant under this section'';

(B) by striking paragraphs (1) and (2) and inserting the following:

''(1) is eligible for a Federal Pell Grant;

''(2) is enrolled or accepted for enrollment in an institution of higher education on not less than a half-time basis; and''; and

(C) in paragraph (3)—

(i) by striking ''academic'' each place the term appears;

(ii) in subparagraph (A)—

(I) by striking the matter preceding clause (i) and inserting the following:

''(A) the first year of a program of undergraduate education at a two- or four-year degree-granting institution of higher education (including a program of not less than one year for which the institution awards a certificate)—'';

(II) by striking clause (i) and inserting the following:

''(i) has successfully completed, after January 1, 2006, a rigorous secondary school program of study that prepares students for college and is recognized as such by the State official designated for such recognition, or with respect to any private or home school, the school official designated for such recognition for such school, consistent with State law, which recognized program shall be reported to the Secretary; and''; and

(III) in clause (ii), by inserting '', except as part of a secondary school program of study'' before the semicolon;

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''year of'' and all that follows through ''higher education'' and inserting ''year of a program of undergraduate education at a two- or four-year degree-granting institution of higher education (including a program of not less than two years for which the institution awards a certificate)''; and

(II) in clause (ii), by striking ''or'' after the semicolon at the end;

(iv) in subparagraph (C)—

(I) in the matter preceding subclause (I) of clause (i), by inserting ''certified by the institution to be'' after ''is'';

(II) by striking clause (i)(II) and inserting the following:

''(II) a critical foreign language; and''; and

(III) in clause (ii), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) the third or fourth year of a program of undergraduate education at an institution of higher education (as defined in section 101(a)), is attending an institution that demonstrates, to the satisfaction of the Secretary, that the institution—

''(i) offers a single liberal arts curriculum leading to a baccalaureate degree, under which students are not permitted by the institution to declare a major in a particular subject area, and the student—

''(I)(aa) studies, in such years, a subject described in subparagraph (C)(i) that is at least equal to the requirements for an academic major at an institution of higher education that offers a baccalaureate degree in such subject, as certified by an appropriate official from the institution; and

''(bb) has obtained a cumulative grade point average of at least 3.0 (or the equivalent as determined under regulations prescribed by the Secretary) in the relevant coursework; or

''(II) is required, as part of the student's degree program, to undertake a rigorous course of study in mathematics, biology, chemistry, and physics, which consists of at least—

''(aa) 4 years of study in mathematics; and

''(bb) 3 years of study in the sciences, with a laboratory component in each of those years; and

''(ii) offered such curriculum prior to February 8, 2006; or

''(E) the fifth year of a program of undergraduate education that requires 5 full years of coursework, as certified by the appropriate official of the degree-granting institution of higher education, for which a baccalaureate degree is awarded by a degree-granting institution of higher education—

''(i) is certified by the institution of higher education to be pursuing a major in—

''(I) the physical, life, or computer sciences, mathematics, technology, or engineering (as determined by the Secretary pursuant to regulations); or

''(II) a critical foreign language; and

''(ii) has obtained a cumulative grade point average of at least 3.0 (or the equivalent, as determined under regulations prescribed by the Secretary) in the coursework required for the major described in clause (i).'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''The'' and inserting ''IN GENERAL.—The'';

(II) in clause (ii), by striking ''or'' after the semicolon at the end;

(III) in clause (iii), by striking ''subsection (c)(3)(C).'' and inserting ''subparagraph (C) or (D) of subsection (c)(3), for each of the two years described in such subparagraphs; or''; and

(IV) by adding at the end the following:

''(iv) $4,000 for an eligible student under subsection (c)(3)(E).''; and

(ii) in subparagraph (B)—

(I) by striking ''Notwithstanding'' and inserting ''LIMITATION; RATABLE REDUCTION.—Notwithstanding'';

(II) by redesignating clauses (i), (ii), and (iii), as clauses (ii), (iii), and (iv), respectively; and

(III) by inserting before clause (ii), as redesignated under subclause (II), the following:

''(i) in any case in which a student attends an institution of higher education on less than a full-time basis, the amount of the grant that such student may receive shall be reduced in the same manner as a Federal Pell Grant is reduced under section 401(b)(2)(B);'';

(B) by striking paragraph (2) and inserting the following:

''(2) LIMITATIONS.—

''(A) NO GRANTS FOR PREVIOUS CREDIT.—The Secretary may not award a grant under this section to any student for any year of a program of undergraduate education for which the student received credit before the date of enactment of the Higher Education Reconciliation Act of 2005.

''(B) NUMBER OF GRANTS.—The Secretary may not award more than one grant to a student described in subsection (c)(3) for each year of study described in such subsection.''; and

(C) by adding at the end the following: and

''(3) CALCULATION OF GRANT PAYMENTS.—An institution of higher education shall make payments of a grant awarded under this section in the same manner, using the same payment periods, as such institution makes payments for Federal Pell Grants under section 401.'';

(5) by striking subsection (e)(2) and inserting the following:

''(2) AVAILABILITY OF FUNDS.—Funds made available under paragraph (1) for a fiscal year shall remain available for the succeeding fiscal year.'';

(6) in subsection (f)—

(A) by striking ''at least one'' and inserting ''not less than one''; and

(B) by striking ''subsection (c)(3)(A) and (B)'' and inserting ''subparagraphs (A) and (B) of subsection (c)(3)''; and

(7) in subsection (g), by striking ''academic'' and inserting ''award''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2009.

SEC. 11. INAPPLICABILITY OF MASTER CALENDAR AND NEGOTIATED RULEMAKING REQUIREMENTS.

Sections 482 and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089, 1098a) shall not apply to amendments made by sections 2 through 9 of this Act, or to any regulations promulgated under such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I request 5 legislative days in which Members may insert extraneous material on H.R. 5715 into the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008, as amended by the Senate. Earlier this month the House acted swiftly to pass this bipartisan legislation to ensure that students and families will be able to continue to access Federal loans they need to pay for college, regardless of what happens in the Nation's credit markets.

Over the past few weeks, the President has also voiced his support for this legislation. I am glad that the President has recognized the importance of this legislation, and am very pleased that with today's vote, we will have an opportunity to send to him this bill for his signature.

The bill we are considering today now includes some of the amendments added by the Senate to strengthen the purpose of the legislation. I want to thank Senator KENNEDY and Senator ENZI for all of their support for this legislation and all of their efforts to get it through the Senate on a timely basis.

Because today's vote is timely, the sooner we get this legislation to the President's desk, the sooner it can be implemented by the Department of Education. This week, many incoming freshmen will be reviewing their financial aid packages and making decisions on where they plan to attend college this fall. For many of these students, their families are already worried about paying bills in today's economy. They shouldn't also have to worry about whether Federal aid they depend on to pay for college will actually be there this fall when they need it.

Over the past few months, we have been closely monitoring what has been happening in the financial markets, and we have heard from stakeholders across the political and economic spectrum: The Department of Education, college financial aid officers, lenders, financial analysts, and students. Not surprising, we have heard varying predictions. Some believe that the lenders will continue to face trouble accessing capital for loans, and others believe that the markets will ease up.

Fortunately so far, the credit crunch has not prevented any student parent from getting the Federal loans for which they are eligible. But we believe that it is only prudent to prepare for the possibility that the ongoing stress in the Nation's financial markets could jeopardize access to student loans.

In addition to the provisions already passed overwhelmingly by the House

earlier this month, the legislation before us today includes additional measures approved by the Senate amendments. This amended legislation assures that loans made through the lender-of-last-resort program are made with similar terms and conditions as other FFELP loans.

It makes the Secretary's authority to designate entire institutions as a lender-of-last-resort program temporary. It ensures that guaranty agencies and lenders operating under the lender-of-last-resort program are subject to the same rules regarding inducements and conflicts of interest that other FFELP lenders are subject to.

□ 1315

It safeguards the lender-of-last-resort program from abuses by requiring guaranty agencies and lenders acting as lenders of last resort to report on loans made through the program. It protects taxpayers by requiring reporting on the cost of the lender-of-last-resort program as compared to the current loan program. Finally, the amended legislation reduces low-income students' reliance on Federal student loans by directing all loans generated by this legislation into the Academic Competitiveness and SMART grants.

I believe that these additions will enhance this bill by providing further protection for parent borrowers, boosting aid to low-income students, increasing accountability in the lender-of-last-resort program.

Now more than ever, families deserve every assurance that we are doing all that we can to make sure that they will continue to be able to finance their children's education. I am confident that our efforts, coupled with proper planning in the Department of Education, will help ensure that students are able to get the financial assistance they need to attend college this fall.

I would like to thank Mr. MCKEON, our committee's senior Republican, Mr. HINOJOSA, the subcommittee Chair, Mr. KELLER, the senior Republican on the subcommittee, and all of their staff and all my colleagues on both sides of the aisle for their commitment to acting promptly on behalf of America's students and families. Again, thank you to Senator KENNEDY and Senator ENZI for their support.

I urge my colleagues to join us in swiftly passing this legislation.

I reserve the balance of my time.

Mr. MCKEON. Mr. Speaker, I rise in support of H.R. 5715, and yield myself such time as I may consume.

I am pleased to be here just 2 weeks after the House voted overwhelmingly in support of this effort to restore confidence in our student loan program. Today we will give final approval to this measure and send it to the President for his signature. It is not often that Congress acts so nimbly to respond to a current market challenge, and I welcome this show of bipartisan cooperation. I hope it is a sign of things to come.

When we debated this bill on the floor 2 weeks ago, I noted that while it is a good start, it is not a complete solution. That continues to be true today. I am particularly interested in exploring a more market-oriented solution to what is obviously a market-based problem. I am hopeful that the administration will pursue steps such as an intervention by the Federal Financing Bank, along with the other proposals that have been offered to restore balance. Still, the steps taken under this bill are important preliminary measures, and I look forward to their swift enactment.

The original bill passed by the House focused on restoring stability to an uncertain market and offering reassurances to students and their families. We did that by establishing the U.S. Department of Education as a temporary backstop to purchase loans and inject modest amounts of liquidity into the market in order to ensure lenders can make new loans in the coming school year. We also offered new loan availability and flexibility, and we called on the Federal financial authorities to exercise their authority to stabilize the market.

I appreciate that the other Chamber chose to move quickly on our bill, rather than taking up a competing bill that would have slowed down this important assistance to students and families. However, some important improvements were made as this bill moved through the other body, and I want to highlight those here today.

In early 2005 and early 2006, Congress approved a budget reconciliation measure that created two new grant programs to help low-income students pursuing a college education. Those two new programs are the Academic Competitiveness Grant and the SMART Grant. These grant programs are meant to promote student academic achievement, particularly in fields that are vital to our continued competitiveness in a changing world.

During the committee deliberations on a comprehensive renewal of the Higher Education Act, Representative ROB BISHOP took a leadership role in clarifying the role of States and not the Federal Government in establishing rigorous high school curricula. The purpose of the Academic Competitiveness Grant was to encourage students to pursue challenging course work to prepare for college, but it was never intended to usurp State and local responsibility for establishing curricula. I am pleased we were able to incorporate his proposed changes into the bill that is moving today.

Mr. Speaker, I support this bill, but I would be remiss if I did not highlight what I believe to be the root causes of the current difficulties in our financial markets. Last year, Federal support for the loan program was slashed, forcing loan providers to scale back on benefits and reevaluate their future participation in the program. This year, disruption in the capital markets have reduced liquidity and shaken investor and consumer confidence.

I appreciate the steps taken in this bill to begin to stabilize a program that has been badly shaken. I am especially pleased that this bill contains no net cost to the American taxpayer and that it does not force colleges and universities to embrace the government-run Direct Loan Program that the vast majority have already rejected. I will remain vigilant in protecting against any efforts to capitalize on the current situation by imposing a big government monopoly on student loans. In fact, it is because I did not support a big government intervention that I favor the bill before us. The fact is that if we fail to act now, we may be forced to take on much greater government role in the future.

We made a commitment more than four decades ago that there are national benefits to an affordable, accessible, higher education system. What we are doing today is restating that commitment and sending a signal to students and families that we continue to believe in this program that has opened the door of higher education to so many millions of aspiring young Americans.

Mr. Speaker, this is a good bill that deserves our support. I want to thank Chairman MILLER, along with the chairman and ranking member of the subcommittee, Representatives HINOJOSA and KELLER, for their leadership on this issue. I would also like to recognize the staff for their hard work as well. I urge all my colleagues to join me in support of this measure.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HINOJOSA), the chairman of the subcommittee.

Mr. HINOJOSA. Mr. Speaker, I rise in strong support of H.R. 5715, the Ensuring Continued Access to Student Loans Act. I especially want to thank Chairman GEORGE MILLER and ranking member BUCK MCKEON and all the others who have worked with us to be able to resolve the challenge of access and affordability to higher education to all those who wish to go to that level of education.

This is urgent legislation, and I thank the leadership in both the House and the Senate for ensuring its swift passage. We are all united in our commitment to provide every assurance to students and families that there will be no disruption in the Federal student loan programs, regardless of what is happening in the financial markets in our country.

As of today, no student has been unable to find a lender for a Federal student loan. However, we are not going to wait until students and families are denied loans before putting safeguards in place. Today is the day that many incoming freshman students must decide which college they will attend in

the fall. Financial aid is a critical consideration for that decision process. We can leave no doubt in the minds of students, families or campuses about the availability of that aid. That is why we must send this legislation to the President for his signature without delay.

Mr. Speaker, this legislation will provide much-needed liquidity to the student loan marketplace by authorizing the Secretary of Education on a temporary basis to purchase student loans so that lenders have the funds to make new loans. The legislation clarifies the lender-of-last-resort option so that, if called upon, guaranty agencies will be able to fulfill their role as lender of last resort as required under the Higher Education Act.

The legislation will reduce the reliance on private loans to fill the gap between Federal student aid and the cost of college by increasing the amount a student can borrow in the unsubsidized loan program.

This contingency plan for the student loan marketplace will come at no cost to the taxpayers. In fact, any savings that may be generated will be directed to the Academic Competitiveness and SMART grants that are available to needy students who complete a rigorous program of study in high school and those students who are pursuing majors in high-need fields, such as science, engineering, technology and foreign languages.

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

Mr. GEORGE MILLER of California. I yield the gentleman 30 more seconds.

Mr. HINOJOSA. Finally, with H.R. 5715 we are signaling that we will bring all of our tools to the task of guaranteeing access to student loans. This legislation also calls upon Treasury and our Federal financial institutions to do their share to ensure that there is sufficient capital in the Federal student loan marketplace.

I urge all my colleagues to vote ''yes'' on this critical stopgap legislation.

Mr. MCKEON. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. KELLER), the ranking member of the Subcommittee on Higher Education.

Mr. KELLER of Florida. I thank the gentleman for yielding.

I rise today in support of the Ensuring Continued Access to Student Loans Act. As the ranking member on the Higher Education Subcommittee and founder and chairman of the Pell Grant Caucus, I am honored to be a cosponsor of this important legislation.

How did we get here? The troubles that began in the subprime mortgage market have had a ripple effect on our economy, impacting all types of consumer credit. Unfortunately, that includes student loans. As a result of these disruptions in the financial markets, students and families all across the country are worrying about how they will pay for college this fall. Through no fault of their own, middle class families are worrying that their children may have a difficult time getting the financing they need for college. At least when it comes to Federal loans, there are steps we can take now to prevent that from happening. That is why I support this bill before us.

This bill will increase loan limits by $2,000 to undergraduate students, it will give students more flexibility in their loan payment options, and it includes provisions that will help generate more low-interest loans. Additionally, the savings achieved in this bill will provide more aid to full- and part-time eligible students through national SMART grants.

This is how SMART grants work. If you are eligible for a traditional Pell Grant and you major in math, science or foreign languages that are critical and you have a B average, you will be able to get an additional $4,000 above and beyond the maximum award of $4,800. This bill expands that to allow full- and part-time students to partake. That means we will be helping a total of approximately 100,000 students who are majoring in math and science and critical languages, and also helping ourselves, because we desperately need more math and science majors.

I have a chart here regarding our strong support for Pell grants on a bipartisan basis to put this bill in perspective. Since I came to Congress in 2000, I have noted that we have increased Pell Grant funding by 149 percent, from $7.6 billion to $18.9 billion.

□ 1330

We have increased the maximum award from $3,300 to $4,800, an increase of 45 percent. Now, with this new expanded legislation for more part-time students to get these SMART Grants, those particular students in math and science will get, as I said earlier, $8,800 in eligible grants.

And, finally, and particularly significantly, we have made it possible for an additional 1.9 million students to go to college, an increase of 49 percent from 3.9 million students getting Pell Grants in 2000 to 5.8 million today.

Making sure that college is affordable has been a bipartisan priority of this Congress. This bill will help ensure access to college for many worthy students and provide much needed stability to the student loan market at a time when it is most important to our college students.

I want to thank Chairman GEORGE MILLER, Chairman HINOJOSA, and Ranking Member MCKEON for their speedy and bipartisan work on this bill. I want to thank my colleagues in the Senate for turning this legislation around so quickly and adding some key provisions dealing with the SMART Grants. I also want to thank the White House for indicating its strong support of this legislation and their willingness to sign it upon arrival.

For these reasons, I urge my colleagues to vote ''yes'' on H.R. 5715, and let's make college more affordable for all young people.

Mr. GEORGE MILLER of California. I recognize the gentleman from Connecticut, a member of the committee, for 2 minutes.

Mr. COURTNEY. Mr. Speaker, what a difference 6 weeks makes. On March 14, under Mr. MILLER's leadership, the Education and Labor Committee held a hearing on the question of student loan availability. And at that time, Secretary Spellings from the Department of Education came in and said that the administration was merely ''monitoring the situation,'' and expressed some diffidence and confusion about whether or not in fact the Federal Government really had a role to play in terms of being lender of last resort.

During the last 6 weeks, what we have seen is the collapse of Bear Stearns, we have seen lenders withdrawing from the student loan market, and a clear signal that the subprime mortgage crisis is in fact extending to the student loan market. In Connecticut, the Connecticut Commissioner of Higher Education Mike Meotti and the Director of Financial Aid at University of Connecticut, who I met with, confirmed the fact that they were seeing some withdrawal from the market and a need to step up their activity in terms of giving students more help as they enter a very challenging year, again, because of what is happening in the financial markets.

This legislation, which now the administration has come around in support of, will in fact strengthen the Direct Student Loan program and will confirm that the Federal Government will in fact be a lender of last resort so that it will make sure that, in August and September, students and families will not be running into difficulty and will in fact be able to go to college in the fall.

The Federal Government acted swiftly to help Bear Stearns, an investment bank which frankly morally and ethically didn't deserve the help. Millions of students, however, do. And this legislation, which will clearly confirm that the Federal Government has a role to play going into the summer months as students reach out to get financial assistance, that in fact the doors of colleges and universities will remain open.

I applaud Mr. MILLER for his leadership going back to last March 14 and ensuring that passage of this bill will occur on a bipartisan basis.

Mr. MCKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, I rise in strong support of this bill that I joined with Chairman MILLER in introducing to ensure the current credit crunch does not prevent students from attending college.

Recent decisions to suspend the issuing of student loans by the Pennsylvania Higher Education Assistance Agency and other lenders around the

country clearly demonstrate the need for this legislation.

This bill is a model for bipartisan cooperation. Problems in the credit market began affecting the student loan market only 2 months ago, and since that time Congress has quickly moved to identify the problem, craft a responsible solution to that problem, and quickly move that solution through the legislative process. And, today, we are sending this bill to the President for his signature.

Congress can be proud of taking this proactive step to prevent a crisis and I am proud of what we did today, and encourage my colleagues to support this bill.

Mr. MCKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New York (Mr. BISHOP), a member of the committee.

Mr. BISHOP of New York. Mr. Speaker, I thank the chairman for yielding, and I thank the chairman and the ranking member of the full committee and also of the subcommittee for working together so quickly and so cooperatively to bring this legislation to the floor. It is very badly needed, and the passage of it will allow us to expand upon the gains that this Congress has made in the dual goals of access and affordability. And let me just quickly reflect on those.

We have significantly reduced student loan interest rates. We have significantly increased the Pell Grant maximum. We have overridden the administration's recommendation to eliminate the SCOG program. We have overridden the administration's recommendation to eliminate the Perkins Loan program. We have done all of this on a bipartisan basis, and we have done all of this with a focus on keeping student need and student interests uppermost in our mind.

There are several very positive features of this bill. Let me talk just about three of them. The first is seeing to it that we maintain liquidity in the student loan market, a situation that is forced upon us by factors that have nothing to do with the Student Loan program. The second is the increase in loan limits on an annual basis. The most important element of this is that it will reduce student reliance on private lending, and that certainly is a goal of ours, to see to it that students have access to government regulated loans as opposed to private loans. And, lastly, the easing of the repayment requirements for the parent loan will be enormously helpful to needy families and the students of those families.

So I again want to commend leadership on both sides of the aisle and both sides of the Capitol for working so quickly on this. I want to commend the Education Department and the administration for their willingness to be supportive, and I urge speedy passage.

Mr. MCKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I congratulate Mr. MILLER and Mr. MCKEON for skillfully navigating this legislation to the floor, and I strongly support it.

Our country's economy has been severely affected by a lack of liquidity crisis. In plain language, people who need to borrow money to do good things who are creditworthy are having a very difficult time borrowing that money.

The early tremors are present in the education field that young men and women who need money to go to school are beginning to have trouble borrowing that money; and we are, frankly, concerned that an earthquake may follow those tremors.

Rather than wait for that disaster to occur, Chairman MILLER and Mr. MCKEON are taking preventive, action along with the Secretary of Education, to try to prevent such a calamity from occurring.

This legislation is commendable on any number of grounds. First, it strengthens the lender of last resort program so that guarantee agencies around the country will be equipped to quickly move capital to students and schools who find it difficult or impossible to get that capital from the banking institutions. Second, it increases the limits that students can borrow money that is guaranteed under the Federal guaranteed loan programs.

This is especially important, because so many of our students need what are called gap loans. This is the person who has an aid package of $28,000, but who needs 31,000 to go to school. In the past, the way families and students have dealt with this problem is to find a private lender to make a loan to fill that gap. There is increasing evidence that achieving that loan is increasingly difficult. By raising the loan limits in a fiscally responsible way, this bill alleviates that problem.

And, finally, by encouraging the growth of technological progress in the education sector, this bill ramps up the infrastructure that will be necessary to move loans to more students around the country as the time has come.

There is a lot of cynicism, Mr. Speaker, in this country about government, and some of it is quite justified. But I would hope that the cynics would watch the process that has occurred here where two leaders, one Democrat, one Republican, have come together, listened to the Secretary of Education, carefully analyzed the problem, and worked together to produce a piece of legislation that I believe will solve that problem. I commend them for their leadership.

I am proud to support this legislation, and I would urge Republicans and Democrats to vote ''yes.''

Mr. MCKEON. Mr. Speaker, I would like to echo the words of others that have spoken here today, and thank Chairman MILLER, thank Mr. HINOJOSA again, Mr. KELLER, and especially Mr. KENNEDY and Mr. RENZI on the other side for working very closely and deciding to take up our bill, because this could have been delayed. They moved expeditiously, and now we will be able to get this to the President's desk. And, hopefully, the concerns that I have felt for several months now will never come to bear; that we will go through this year, and students will be able to get their loans and we will do this without any hiccups. But, if not, this will be a big help as we move forward.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. I associate myself with the remarks of the gentleman.

Mr. SOUDER. Mr. Speaker, I support H.R. 5715, and voted for it when it was first considered on the House floor. Although I have some reservations, I believe it is a reasonable compromise that will provide the student loan market added flexibility and stability going forward. Had I been present, however, I would have voted "aye."

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5715.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GEORGE MILLER of California. Mr. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2954. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

TEMPORARY EXTENSION OF FARM PROGRAMS

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2954) to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2954

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS AND SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.

Effective April 25, 2008, section 1 of Public Law 110–196 (122 Stat. 653) (as amended by Public Law 110–200 (122 Stat. 695) and Public Law 110–205 (122 Stat. 713)) is amended—

(1) in subsection (a), by striking ''May 2, 2008'' and inserting ''May 16, 2008''; and

(2) in subsection (d), by striking ''May 2, 2008'' and inserting ''May 16, 2008''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. HOLDEN. Mr. Speaker, I rise in support of this 2-week extension of the current farm bill. The conferees have been working hard, particularly Chairman PETERSON and Ranking Member GOODLATTE, and the chairman and ranking member in the other body. And we can see the light at the end of the tunnel, but we still need some additional time to dot all the I's and cross all the T's, as we try to prepare the American people for a sound farm policy over the next several years. I think that we are going to present a farm bill to this body and to the American people that will do just that. I think this will gain overwhelming support in both bodies and will be signed by the President of the United States.

In the commodity title, we will not only sustain our safety net, but we will see significant reform. In the conservation title, where I have the privilege of chairing the subcommittee, along with Mr. LUCAS who is the ranking member, we will see significantly more investment of about $4 billion into our conservation programs. And, in nutrition, which has been so important to our leadership, we will see an additional $10 billion in investment in nutrition programs.

And, finally on the energy title; we hear so much talk about our need to be less dependent upon foreign energy, we need to step up to the plate and do something. We should have done it years ago. But we cannot let this farm bill go without having a significant investment in energy. And we are proud of the work that we have been able to do on the energy title, particularly in the area of cellulosic ethanol. We think that we are going to have a program that is going to allow us to begin to wean ourselves off the dependency upon foreign energy.

So, Mr. Speaker, I believe that the conferees are working hard, they are making significant progress, but we need a little bit more time to accomplish our product.

I urge support.

I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

I rise in support of the temporary farm bill extension that will extend some of the provisions of the 2002 farm bill so that the conferees can attempt to finalize this bill. I share my colleague's perspective over there. I think progress has been made, and we need to bring this to a conclusion.

With that, I urge my colleagues to support this farm bill extension so that that work can be accomplished.

□ 1345

I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the Senate bill, S. 2954.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2954.

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

There was no objection.

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:

Motion to instruct on H.R. 2419, by the yeas and nays; motion to suspend the rules relating to H.R. 5715, by the yeas and nays.

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

MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2419 offered by the gentleman from Arizona (Mr. FLAKE) 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.

The vote was taken by electronic device, and there were—yeas 157, nays 259, not voting 15, as follows:

[Roll No. 238]

YEAS—157

Allen
Bachus
Baird
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Berkley
Berman
Biggert
Bilbray
Bishop (NY)
Bishop (UT)
Blumenauer
Boehner
Bono Mack
Boucher
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Castle
Castor
Chabot
Chandler
Conyers
Cooper
Crenshaw
Cubin
Culberson
Davis (CA)
Davis, David
Davis, Tom
DeFazio
Dent
Dreier
Duncan
Ehlers
Ellison
English (PA)
Eshoo
Feeney
Ferguson
Filner
Flake
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gingrey
Goode
Hall (TX)
Harman
Heller
Hensarling
Hobson
Hodes
Hoekstra
Holt
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
Kind
Kirk
Kline (MN)
Knollenberg
Lamborn
Lampson
Langevin
Latta
Lewis (CA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lungren, Daniel E.
Mack
Markey
Matheson
McDermott
McGovern
McKeon
Mica
Michaud
Miller (FL)
Miller, Gary
Mitchell
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Pallone
Pascrell
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Price (GA)
Pryce (OH)
Radanovich
Ramstad
Reichert
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sánchez, Linda T.
Saxton
Schiff
Schmidt
Schwartz
Sensenbrenner
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stark
Stearns
Tancredo
Terry
Tiberi
Tierney
Van Hollen
Wamp
Waters
Welch (VT)
Westmoreland
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Young (AK)
Young (FL)

NAYS—259

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Altmire
Andrews
Arcuri
Baca
Bachmann
Baldwin
Barrow
Becerra
Berry
Bilirakis
Bishop (GA)
Blunt
Bonner
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Buchanan
Burton (IN)
Butterfield
Buyer
Camp (MI)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Edwards
Ellsworth
Emanuel
Emerson
Engel
Etheridge
Everett
Fallin
Farr
Fattah
Foster
Gillibrand
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Holden
Hooley
Hoyer
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski

Kaptur
Kennedy
Kildee
Kilpatrick
King (IA)
King (NY)
Kingston
Klein (FL)
Kucinich
Kuhl (NY)
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Loebsack
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Marshall
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pastor
Pearce
Perlmutter
Peterson (MN)
Poe
Pomeroy
Porter
Price (NC)
Putnam
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sali
Sarbanes
Schakowsky
Scott (GA)
Scott (VA)
Serrano
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Smith (TX)
Snyder
Solis
Souder
Space
Spratt
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weller
Wexler
Whitfield (KY)
Wilson (OH)
Wu
Wynn
Yarmuth

NOT VOTING—15

Blackburn
Deal (GA)
Doggett
Forbes
Fossella
Honda
Israel
LaHood
Lewis (KY)
Payne
Rush
Sanchez, Loretta
Slaughter
Weldon (FL)
Wilson (NM)

□ 1410

Messrs. CAMP of Michigan, BONNER, SOUDER, COSTA, OBERSTAR and JONES of North Carolina, Ms. HOOLEY and Mrs. MYRICK changed their vote from ''yea'' to ''nay.''

Ms. ZOE LOFGREN of California, Mrs. DAVIS of California, Ms. WOOLSEY, Ms. LINDA T. SÁNCHEZ of California, Ms. GIFFORDS and Messrs. SHAYS, BERMAN, FRANKS of Arizona, LATTA, MORAN of Virginia, CONYERS and LAMPSON changed their vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ENSURING CONTINUED ACCESS TO STUDENT LOANS ACT OF 2008

The SPEAKER pro tempore (Mr. SERRANO). The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendments to the bill, H.R. 5715, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5715.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 21, not voting 22, as follows:

[Roll No. 239]

YEAS—388

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
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)
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
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
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Hooley
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
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)
Lampson
Langevin
Larson (CT)
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
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 (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
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
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.
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
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
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
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NAYS—21

Brady (TX)
Broun (GA)
Campbell (CA)
Duncan
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Hensarling
Johnson, Sam
Jordan
King (IA)
Kingston
Lamborn
Miller (FL)
Paul
Poe
Price (GA)
Tancredo
Westmoreland

NOT VOTING—22

Blackburn
Boucher
Deal (GA)
Doggett
Forbes
Fossella
Gutierrez
Higgins
Honda
Israel
LaHood
Larsen (WA)
Latham
Lee
Lewis (KY)
Payne
Rush
Sanchez, Loretta
Slaughter
Souder
Weldon (FL)
Wilson (NM)

□ 1417

Mr. GINGREY changed his vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SLAUGHTER. Mr. Speaker, on rollcall No. 239, I was detained in Senate on district business. Had I been present, I would have voted "yea."

Ms. LEE. Mr. Speaker, earlier today I missed rollcall vote No. 239 on approving the Senate amendments to H.R. 5715, the Ensuring Continued Access to Student Loans Act of 2008. Had I been present, I would have voted "yea."

Mr. SOUDER. Had I been present on rollcall 239, I would have voted "aye."

Mr. LATHAM. Mr. Speaker, on rollcall No. 239, I inadvertently missed the vote today on H.R. 5715 due to an unforeseeable conflict. Had I been present, I would have voted "yea."

LEGISLATIVE PROGRAM

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

Mr. BLUNT. Mr. Speaker, I yield to my friend, the majority leader, to give us some information about the schedule for next week.

Mr. HOYER. I thank 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 10:30 a.m. for morning hour and 12 p.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, and I underline ''expected,'' in the House.

We will consider several bills under suspension of the rules. The final list of suspension bills will be announced, as is our practice, by the close of business tomorrow. We will consider legislation to address the housing crisis, including bills reported out of the Financial Services Committee regarding the Federal Housing Administration and H.R. 5818, the Neighborhood Stabilization Act of 2008. We also hope to consider the farm bill conference report.

Mr. BLUNT. On the housing question, you mentioned one bill. Is there a chance there will be two bills coming out of Financial Services that may be incorporated there in some way?

Mr. HOYER. That is possible that they would be considered separately. I have not conferred with Mr. FRANK, the chairman, so I can't definitively say that. I'm not absolutely sure, but the answer to your question is it's possible.

Mr. BLUNT. I thank the gentleman for that.

The gentleman also mentioned we had a possibility, or at least your hope that we would consider the farm bill conference report. I know there are some other conference reports out there, the budget, higher education, consumer product safety. We've got 11 working days left before we take the District Work Period at Memorial Day.

I wonder if the gentleman has the sense of the likelihood that any specific one of those might also be available during that period of time.

Mr. HOYER. If I had my druthers and I could make it happen, all of them would be within the context of that 11 days to which you refer. The chairman of the Budget Committee is on the floor. I know he's been working very, very hard, and I believe that we are close on the budget conference. I think that may well be a possibility.

There may well be other conference reports available as well. I cannot tell you now specifically that there are bills that I am absolutely assured will be ready for that time frame, but I do believe that there will be significant pieces ready.

The DOD authorization bill will, of course, be considered on the week of the 18th, I believe. That's the week of the 18th. The supplemental is obviously on our radar screen, and we hope to pass the supplemental before we leave as well. I was hoping for next week. That still is a possibility, but I'm not assured that they will be in place, ''they'' being Mr. OBEY in our discussions. I'm not sure what his plans will be, whether he can move it ahead that quickly.

The budget conference, of course the farm bill conference, the supplemental, and the DOD authorization are major pieces of legislation I want to see passed before we leave.

Mr. BLUNT. I have a couple of questions about that.

First of all, on the one you didn't mention, the higher education conference, I think the higher education, the current bill, expired last evening. Will we extend that? Would that be the gentleman's intention that we extend the current bill next week as well as the other work that's been listed?

Mr. HOYER. That is an option as well as in the best of all possible worlds, the conference would be completed and we could pass the bill itself. If that does not happen, we will contemplate an extension.

Mr. BLUNT. On the supplemental, you mentioned Mr. OBEY. Is there now a possibility that the supplemental might be marked up in conference? I know during the 5 weeks now that we've talked about this, you had announced a hope that we would have the supplemental on the floor either in the last week in April or you every time have said, ''No later than the first week in May.'' So we're not there yet but we get there next week.

You now would not anticipate that on the floor, is one question. The other is, where are we on the question whether the committee will mark that supplemental up or it will come to the floor in some other way.

Mr. HOYER. I think that's, candidly, still up in the air. I know that's of concern to you. I understand that concern, but I will tell you again, I think it's still up in the air.

Mr. OBEY has been discussing with the Senate how they think we can best move forward as expeditiously as possible and so that we can try to achieve the end.

As you know, there is substantial discussion about what is in the supplemental. The President, as you know, has indicated that and Mr. Nussel has indicated that if anything above the dollars asked essentially for Iraq and Afghanistan are included for investment here in this country on various different items, perhaps dealing with unemployment insurance, perhaps dealing with energy credits so that we can ensure the expansion of alternative enterprises for alternative fuels, those are all being discussed to see whether they are possibilities in terms of passage and, hopefully, signature by the President.

We think that there are a number of items that are critically important to pass now that we think this bill is appropriate for but we don't have agreement on at this point in time. But Mr. OBEY is working today and hopefully tomorrow, and we have a number of meetings today to see if we can move that forward.

So I regret I do not have a more definitive answer for you, but that is the candid answer.

Mr. BLUNT. I thank my friend for the candidness of that answer.

I also remember and remind him that last week on the topic of the expanded GI benefits, the supplemental, under the rules we've been working with, would be considered, at least the wartime part of that, an emergency spending and not under the PAYGO rules. The GI benefits that have been talked about both here and on the other side of the building, I think last week you suggested that those were related to the Iraq-Afghanistan expenditures in a way that you thought that the majority might waive PAYGO and include those in the supplemental.

I'm wondering if any of those other items that you discussed, like unemployment insurance, might also meet that criteria where if they were in the supplemental, they wouldn't have to comply with the PAYGO provisions of the current rules of the House.

I would yield.

□ 1430

Mr. HOYER. I thank the gentleman for yielding.

As it relates to the first item, the GI Bill, there is a comprehensive GI Bill, as you know, sponsored by Mr. WEBB. Also Ms. HERSETH over here and others have legislation which tries to respond to the critical need that our veterans returning from Afghanistan and Iraq now have because they have substantially less generous benefits and, therefore, less opportunity to reintegrate themselves into the community and stabilize themselves and their families. We believe that is a cost of the war.

I don't believe that under the current suggestion, and I'm not suggesting that it's in or out at this point in time, I'm not suggesting there is anything in or out in terms of proposal, but it is my belief that that would not require a waiver of the PAYGO given the context in which it may be considered. What I mean by that, and not to be too esoteric, is that we may respond to the need this coming year as opposed to a longer term.

Mr. BLUNT. Again, would that apply if we look at it as an economic provision to the bill to the unemployment insurance and other things as well?

Mr. HOYER. Will the gentleman yield?

Mr. BLUNT. I would.

Mr. HOYER. As you know, we came together and we agreed on the passage of a stimulus package. We passed a stimulus package because we thought our economy was either about to go in recession or was in recession—not at the time when we passed it, but that

seems to be the case now—and the stimulus package was designed to either keep us out or to bring us out of a recession and to try to help our people who are at risk. As you know, we did that on an emergency basis. The reason we did that on an emergency basis, we felt, in terms of stimulating the economy, you didn't want to stimulate and depress at the same time. So the answer to your question, for instance, on unemployment insurance, that may well fall in the same category from our perspective.

Mr. BLUNT. I thank the gentleman for that.

I would suggest if that was the criteria, that on the expired research and development credits or the expired deductibility of sales tax from income tax in those States that had that deductibility for a few years ending on December 31, or even on the alternative minimum tax protection for people who don't pay that tax now, it seems to me they would meet that same criteria of having negative economic impact as we let those research and development credits expire or as we no longer allow people in Florida and Texas and other States to deduct their sales tax before they pay their income tax or if we let the AMT patch extend to a number of people. I don't know if there is a way to handle those issues under that same umbrella of economic impact or not, but I would yield.

Mr. HOYER. I thank the gentleman for his observations. I think he and I have a difference on the perception of some of the items that he mentioned as being analogous to some of the other items that we have discussed.

On the AMT, for instance, there is a disagreement on that alternative minimum tax. The alternative minimum tax was not intended, I don't think by any of us, to impact the people that it is now impacting. I believe strongly that we ought to fix the AMT, not just for this coming year, but permanently, and we ought to pay for that. And the reason I think that we ought to do that is, A, it clearly falls within the ambit of PAYGO, and secondly, because I think that our generation incurred this liability and we ought to pay for that liability.

But some of the things that we have already mentioned I think are more analogous, not to tax extenders, giving additional tax relief or fixing the AMT, but are, as the UI is, unemployment insurance, directed to an emergency that confronts us as a result of a substantial downturn in the economy, which is analogous, I think, to the stimulus package, which is why we didn't consider that to be a PAYGO issue and were prepared not to address it in a PAYGO way.

Mr. BLUNT. I hear that answer and I respect it, but I also believe that when we've let these tax policies expire, they have some of the same economic consequences. I suppose that can be debated when we get to that point in the debate. But sort of selective waiving of PAYGO, I hope we have developed some principles here that can maybe apply to some other things as well. I think we've discussed that and I appreciate the fact that we've had a difference on this for some time.

I mentioned a couple of States that are particularly impacted by the credit situation that we face right now on the sales tax deductibility. That's just another burden on taxpayers that may be dealing with another problem that's part of the overall economic challenge we face right now. And just like the stimulus package waived PAYGO to try to help solve this problem, I'd suggest that there may be items beyond unemployment insurance that equally are related and may be even more contributory to the problem than unemployment insurance.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

You mentioned the States. One of the things that we're very concerned about is the very substantial fiscal adverse impact to the States that will be caused by the change in the Medicaid regulations proposed by the administration. That is one of the items under consideration because that change, as I understand it from Mr. WAXMAN—as a matter of fact, we just talked about it—will have a very great adverse financial impact on the States. I'm sure you received a letter similar to the one that I received from both Democratic and Republican Governors asking us to address that.

So there clearly are some items which have impact on the States. Very frankly the discussion is, how many of those do we try to address, if any, in the supplemental? How many do we address in the stimulus package? Or how many do we address in separate legislation?

One of the positive aspects of the stimulus package, as you will recall because you and I were in the room, was that Secretary Paulson, on behalf of the administration, the Speaker, you and I and Mr. BOEHNER sat down together and talked about how we can get from where we were to where we wanted to get, and we came to agreement. We have been unable to do that, as you know, on some of these things that we think are of serious concern, and the Medicaid regulations are an example of that.

Mr. BLUNT. I appreciate that. And I do recall those discussions.

Also, the tax policies that encourage purchases that create jobs are in place. And as all of us on the floor here know, the initial checks that go out as part of the stimulus package are going out in the next few days over the next couple of months. And that, hopefully, will be helpful.

On the supplemental, anything that we can do, that I can do, that our side can do to encourage going through the committee in the regular process, we would like to do that. In the last 20 years, under both Democrats and Republicans, there have been 36 supplementals. All but seven of them went through the committee. And those seven did not go through the committee based on a bipartisan decision that Katrina or 9/11 or some other event had occurred where Members on both sides of the aisle essentially said we know what needs to be done here, we're in agreement with it, let's take a bill to the floor. In the other 29 instances where there was not bipartisan agreement, every supplemental went through the committee.

In the 12 years that we were in the majority, there were 20 supplementals. None of them had a closed rule, all of them except the ones I mentioned by bipartisan agreement went through the committee, and 10 of them had an absolutely open rule where we brought the supplemental to the floor and the rule essentially said bring on every amendment that you want to and we'll debate it until the amendments are exhausted. That's a time-honored process not just under the Democrat majority, but under the Republican majority. I'd like to again encourage that we do whatever we can do to further that discussion that you suggested may be going on now that would have the committee option as one of the options.

Mr. HOYER. I thank the gentleman for his observation. He has made it before. I will say that other Members, for whom I have a great deal of respect, on your side of the aisle have discussed this with me. I think your point is well taken, and that is under discussion.

Mr. BLUNT. I have one other question that wasn't on a list and not on an immediate schedule, but one of our Members from Oregon (Mr. WALDEN) had asked me if I would bring up with you the topic of H.R. 3058. It's a bill sponsored by Mr. DEFAZIO from Oregon on public lands, communities transition. It was introduced last July, voted out of Resources in December. The Agriculture Committee has now discharged the bill. This involves schools in western lands, very important to our western Members on both sides.

Mr. WALDEN has asked me to ask you, first of all, is there any information about when that might be scheduled? And secondly, to make the request that that bill be scheduled.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

I don't have information now about the status of that bill, where it is. Obviously it's a bipartisan bill, Mr. DEFAZIO and Mr. WALDEN and others. It is a bill that, very frankly, has been brought up in the context of whether it might be included in some other pieces of legislation, so that it obviously has bipartisan support. I will look at it and discuss it with Mr. DEFAZIO and let you know where we are on it.

Mr. BLUNT. I thank the gentleman for the time.

I do know the gentleman mentioned this week that in the 11 days left before this next work period at home, we

might have a flurry of activity. And I would suggest, you've seen lots of interest on our side, that hopefully part of that flurry of activity could be an energy bill. I think now we're in the 18th or 19th straight day of highest gasoline prices ever. Tomorrow may be the 19th or 20th straight day of that. That would be one of the things that we would certainly like to see Members of the House address before we leave here for the Memorial Day break.

I would yield.

Mr. HOYER. I thank the gentleman for yielding.

Without going into the polemics of the politics that we exchange on this of what legislation we have passed through here, which was, we think, directed at trying to address the short-term problems, dealing with OPEC, dealing with manipulation of prices, dealing with price gouging, which many, if not all of you, on your side voted against. Suffice it to say I think all of us are concerned about the high prices of gasoline. Suffice it to say that all of us, if we're honest, know that in the short term it's going to be very difficult to impact on that. Thirdly, that the solution longer term is obviously moving towards alternative sources of energy and renewable sources of energy.

We passed a major piece of legislation last year. Happily we passed it in somewhat of a bipartisan fashion, not totally, I don't mean everybody unanimously voted for it. But the President did sign it. The President said it was a step forward. For the first time in a very long period of time it said our automobiles need to be more efficient. For the first time in a very long time it required the use of alternative fuels. So that we addressed initially, and there's much more that needs to be done, longer term solutions.

Short-term solutions are tough. There is discussion about the SPR. There are discussions about taxes, gasoline taxes, as you know. There are other discussions. If you have ideas, we would be glad to have them in terms of what can be done in the short term.

Mr. BLUNT. I thank the gentleman.

I think we've brought some ideas in the last couple of weeks to the floor on bills that didn't necessarily relate to this and we will probably have more that we will be talking about.

I yield back.

ADJOURNMENT TO MONDAY, MAY 5, 2008

Mr. HOYER. Mr. 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.

□ 1445

ON THE RETIREMENT OF MARK O'SULLIVAN

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

Mr. HOYER. Ladies and gentlemen of the House, many of you have heard me, and Mr. DREIER as well, over the years speak to how extraordinarily advantaged we are in the House of Representatives, and the American people are, by the quality and commitment of the staff that serves this institution.

It doesn't serve Republicans or Democrats, but it serves the purposes of assuring that this institution runs in a way that gets the business of the American people done in a way that's productive and positive for them and for our country.

Regretfully, I am going to observe the retirement of one of those people. Happily, I can extol his virtues. I've known him for a very long period of time. I've seen his work, conscientious, able, and a very positive impact on this institution.

Mark O'Sullivan, who is sitting just to my left on the second-level rostrum, has been with us 31 years in the House, and he commutes from Baltimore every day. I don't know whose district he is in, maybe Mr. CUMMINGS' or Mr. RUPPERSBERGER's. I'm not sure whose district he is in, but I'm sure they are happy that he is living there, although he's totally bipartisan, I'm sure.

He has done an outstanding job. I have always found him to be in even humor, even in the toughest of times. Even in the times when the body sometimes gets more loud and uproarious than at other times, he maintains an even demeanor. And, as I say, the competency and the talent and the commitment and the character he has brought to his job has advantaged our country and the House of Representatives.

Mark, we thank you. Congratulations to you. We wish you the very best, and we look forward to seeing you back here in the near future and repeating it.

MOTION TO INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to instruct conferees.

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

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the managers on the part of the House on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2419 be instructed, within the scope of the conference, to use the most recent baseline estimates supplied by the Congressional Budget Office when evaluating the costs of the provisions of the report.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that the text of the motion be considered as read.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and a Member opposed each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, it's not my intention to consume the full amount of time, as we had discussed earlier.

At the beginning of this Congress, the Speaker of the House said the following: ''After years of deficit spending, this new Congress will commit itself to a higher standard: pay-as-you-go, no new deficit spending.''

Well, the majority did follow through on half of their promise. One of the first things they did when they took control of this place was put in a new pay-as-you-go rule.

But things haven't quite worked out as well on the deficit. This year's deficit is projected to double as spending is projected to rise by over $200 billion. But at least they did put in the rule. And one of the things that makes this rule interesting, that requires this rule, is that the House must use the most recent CBO baseline when determining whether a bill complies with PAYGO. Let me read this rule word for word to be clear:

''The effect of a measure on the deficit or surplus shall be determined on the basis of estimates by the Committee on Budget relative to the most recent baseline supplied by the Congressional Budget Office.''

It sounds pretty straightforward, Mr. Speaker. You've got to use the current baseline when you apply PAYGO, no questions asked.

But despite this, everyone I have talked to about this issue, everything I've heard, everything I've read in the newspapers had told me that the farm bill isn't going to use the updated 2008 baseline but instead is going to use the 2007 baseline, an outdated baseline from over a year ago. Now, I hope that this is not the case. I hope that this does not happen. But it sounds like that's the direction they are headed. And that is what this motion is all about.

This motion is very simple. All it would do is require that the House will follow its own rules and use the current CBO baseline when determining whether or not the farm bill complies with PAYGO.

Why should we care? Why does this seemingly technical issue make a difference?

First of all, economic conditions have changed in the past year. Agricultural profits are way up. Food prices are soaring. And it's simply not accurate to use an estimate that's over a year old.

Second, there's a strong possibility that using the old baseline could hide

billions and billions of dollars in new spending. We don't have all the details yet, and we don't know exactly how CBO is going to score it, but based on what we've heard, based on rising food prices and other factors, we think it's quite likely that this bill is going to appear to cost billions of dollars less under the old baseline than it really does under the current one.

Now, isn't that convenient? I'm sure that a lot of taxpayers would love to have this type of choice. I'm sure that when they were filling out their taxes a few weeks ago, a lot of people thought it would surely be nice to have the option of paying taxes on either last year's income or this year's income. They could just pick the year where they made less money and save a couple bucks.

But the taxpayers don't have that choice. They are required to play by the rules. They have got to pay taxes on their current income whether they like it or not. And if the majority follows the rules, it doesn't have this choice either. They must use the 2008 baseline, or they will be in clear violation of their PAYGO rules.

Now, the majority has dodged PAYGO before. The farm bill they passed last year had over $5 billion in timing shifts and other gimmicks in it, and I wouldn't be surprised if you saw some of those in the conference report again this year. But if they use an old baseline, this would take it to a whole new level, Mr. Speaker. This would be the first time the majority actually used baseline shopping to violate the PAYGO requirement.

You see things like this, and it's no wonder people think Washington is broken. These types of games are exactly what make people cynical about Congress. And I agree. This just isn't the way the House should operate. The American people deserve better than having the House play games with its own rules and then go home and claim they have entered a new era of fiscal discipline.

You know, some people might find it odd for me to be down here talking about PAYGO, and I will be the first to admit that I have been critical of this rule and don't think it's the best way to proceed with respect to fiscal discipline. But let's put those concerns aside for a minute. Budgetary rules are only as good as the integrity of the numbers that you use to enforce them. So let's enforce those rules with updated CBO estimates. Let's have a strong bipartisan vote for this motion and say that these games have got to end. Let's not manipulate the rules and pick and choose whichever baseline is more convenient.

With that I urge my colleagues to support this motion.

Mr. Speaker, I yield to the gentleman from California (Mr. DREIER).

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, I rise in strong support of this motion.

My friend has outlined very clearly exactly where we are. And I will tell you from the perspective of the House Rules Committee, while we have not been enthusiastic supporters of this PAYGO procedure, I will say that while my friend used the tax analogy, as I listened to the exchange between the distinguished Republican whip and the majority leader, I couldn't help but think about the gasoline price issue. It would be tantamount to one of our constituents or any of us being able to go up to a gas pump and say, ''You know what? I'd like to pay the price of gasoline as it was 6 months ago as opposed to where it is today.'' This is not the way this should be done.

I urge my colleagues, Democrats and Republicans alike, to come together in support of this motion.

I rise in support of this motion. We don't actually know what's in the Farm Bill Conference Report, because the Conference Report has yet to be finalized, which is precisely why we are here seeking to instruct the conferees on the part of the House. But if press reports are accurate, the Conference Report could be in violation of clause 10 of Rule XXI of the Rules of the House of Representatives, known as the PAYGO rule. Now, I am not a supporter of the PAYGO rule. Ostensibly it is intended to impose fiscal discipline—a worthy goal that I share. But in reality it does nothing more than mandate tax increases. If the Democratic Leadership were to recognize this reality and propose a rule change to eliminate PAYGO, I'd support it. So far, they have not yet recognized the error of their ways, and PAYGO is a rule of the House.

At issue here is the number that is used as the baseline for determining deficit neutrality. The rules of the House are unambiguous. The most current baseline estimate must be used. Clause 10 of Rule XXI provides: "the effect of a measure on the deficit or surplus shall be determined on the basis of estimates made by the Committee on the Budget relative to the most recent baseline supplied by the Congressional Budget Office."

This does, after all, make perfect sense. If out-of-date and irrelevant numbers can be used, the rule would be a complete farce, even to those who support it in principle. In the case of the Farm Bill, the most up-to-date estimate was released on March 3, 2008. And yet it has been rumored that the Farm Bill's authors may choose to use the fiscal year 2007 numbers.

This would be akin to pulling up to the gas station and rather than having to pay the current 2008 price of $3.62 per gallon, you tell the gas station attendant that that price doesn't apply to you, and you get to pay the 2007 price of $2.97.

If Democrats insist on following this path, their bill will be in violation of PAYGO. And if the Rules Committee chooses to waive PAYGO, I suspect they would have trouble garnering enough support to pass such a rule within their own caucus. While the Democratic Leadership has proven they have no qualms about breaking House rules, or circumventing them altogether, a number of their Members are committed to the current incarnation of PAYGO. The Democratic Leadership knows that failure to comply with this rule is a nonstarter for a large bloc of their caucus.

So if their solution was to simply cook the books, pretend their bill was PAYGO compliant, and hope no one noticed, then I'm sorry to say, we noticed. To all of my colleagues who support PAYGO, and to all of my colleagues who oppose PAYGO but also oppose budget gimmickry and backroom deals to thwart the rules of the House, I urge you to join me in supporting this motion. Let's send the Farm Bill conferees a strong message that a budgetary shell game will not get them their 218 votes. And let's send a message to the Democratic Leadership that they can't piously claim to follow the rules, while perpetrating an end-run around them.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. POMEROY. Mr. Speaker, I rise to oppose the motion to instruct.

The SPEAKER pro tempore. The gentleman from North Dakota is recognized for 30 minutes.

Mr. POMEROY. I thank the Speaker.

We agree that under normal circumstances a farm bill considered at this time ought to be scored on the March, 2008, baseline. But let me emphatically emphasize there has been nothing normal about the development of this farm bill.

We're moving into our 17th month of intensive work on this farm bill. I'm telling you we have encountered every barrier you can possibly imagine, and we are almost done. We have almost got this to conference committee and to the floor. As the majority leader indicated, we are hopeful it will be on the floor next week.

During the period of time we have been working on this bill, the House passed this farm bill July 27, 2007, and it took nearly 5 months in addition before the Senate passed its bill, December 14, 2007. If they would have gotten their bill done earlier, we probably could have concluded this. This wouldn't even have come up. We would have had the farm bill out of here by now. The Senate-passed bill, however, is 1,876 pages long; the House bill, 160 pages long. That alone will tell you we had an awful lot of work to reconcile these two bills.

The Senate uses a different rule relative to determining baseline, a rule used by the House in the construction of the 1996 farm bill as well as the 2002 farm bill. This principle is pretty simple: If you have done most of the work on the legislation under the old baseline, you can conclude the work. It would undo everything to suddenly have the new scoring requirement. And if the Senate didn't go along, you would have the crazy situation of trying to do one baseline for the House, another baseline for the Senate, trying to meld those in conference committee, and you will never get this thing done.

So the gentleman's motion to instruct has an intellectual basis for it, but the reality of this farm bill is we have worked now 17 months building the bill, most of that time under the 2007 farm bill. When we passed the bill in the House, we had no idea what the 2008 baseline would be; so it's not like

we were forum shopping or trying to pick the most lenient number. It was just the only way we could proceed. And if we would at this point in time do a baseline shift, I'm telling you this project, so close to home, gets put back to square one.

I have asked my friend and colleague Chairman John SPRATT to join me in this discussion because, obviously, when it comes to budget matters, he has broad respect across both sides of the aisle and I believe he can advance a more detailed discussion on some of the rules at issue as we respond in opposition to the motion.

Mr. SPRATT. Will the gentleman yield?

Mr. POMEROY. I yield to the gentleman from South Carolina.

Mr. SPRATT. I thank the gentleman for yielding.

Mr. Speaker, more than a year ago, in meetings with Chairman PETERSON and the Ag Committee staff, the Budget Committee made it clear that the new farm bill had to stay within the CBO baseline for the current farm bill. Policies could be added or altered, but the aggregate cost could not exceed CBO's current baseline. We based that position on the so-called ''pay-as-you-go'' rule. Pay-as-you-go requires that any new legislation, in the form of mandatory spending, be fully offset, that it not exceed the current baseline.

In this instance, with the new farm bill, which about to come from conference, it appears that the farm bill will be complied with the fiscal year 2007 baseline but perhaps not fully complied with the fiscal year 2008 baseline. I have not seen the numbers yet.

CBO produces many baselines, and for a time the House PAYGO rule was ambiguous about the proper time for switching to a newer, updated baseline. Over time the House Budget Committee, in consultation with the Parliamentarian, came to an agreement to use longstanding scoring principles. These principles or guidelines allowed the Budget Committee discretion so that we could choose the appropriate baseline. This principle evolved over many years as a rule of practicality. It was founded on the rationale that we should not change the rules in the middle of the game or the middle of the legislative process or, in this case, in the middle of a complex conference. This rule was applied in 1996 to the farm bill passed then and again in 2002 to the farm bill which was passed then. Once again, the underlying idea is to avoid changing the rules in the middle of a contested process that is complex and protracted enough already.

The House PAYGO rule, the rule which we adopted in January of 2007, does set a limit to it. It does say that the latest baseline can and should be used until such time as the Budget Committee reports a budget resolution. The Senate has a different rule. The Senate PAYGO rule also sets a limit. It proposes that the last baseline be used until a conference report on the budget is adopted.

□ 1500

So there is a significant disagreement in the position between the two rules in the two bodies. As part of the resolution of all the differences in the conference, this too has to be resolved.

Much of the farm bill about to come before us was hammered out in 2007. The bill passed the House and passed the Senate and the conferees on all sides believed that the final package would emerge certainly no later than March of this year. The Budget Committee determined and informed the conferees that any farm bill would have to be scored against the FY07 baseline up until the Budget Committee reported a budget resolution for fiscal year 2009.

The budget resolution was passed on March 7. Our committee staff informed the conferees that the baseline for measuring compliance with PAYGO would now be the fiscal year 08 baseline. In rendering that advice, we didn't resolve or really consider the pertinent problem. As I said earlier, the rules require that the conferees use the March 07 baseline until the Senate adopts the conference report on the budget for fiscal year 2009. This makes sense because then you will have something done definitively by concurrent budget resolution passed in both Houses. And the purpose of a conference is to resolve disagreements between the two Houses.

Here, we have such a disagreement, as I said earlier. Either we use the FY07 baseline or we use the FY08 baseline. We can't use base because there is a significant difference between the two. It seems fair and reasonable to me to use the FY07 baseline since so much of this conference agreement was written with the FY07 baseline as the yardstick, and to revert to FY08 would require more protracted negotiations and maybe no conference report at all.

I have to say to you I could argue you this either way. But I believe on balance that this is a good application, a proper allocation of the baseline rule, and certainly the rule of practicality in this instance.

Mr. POMEROY. Reclaiming the time——

Mr. RYAN of Wisconsin. If the gentleman is willing to yield back his time, I will just have a 1-minute speaker and then I will close—fast.

Mr. POMEROY. I would just like to point out one quick thing. This is what PAYGO accomplishes. In 2002, pay-as-you-go budget discipline was allowed to expire. The farm bill, when it was passed, added to the baseline $73.5 billion. I believe the gentleman from Wisconsin voted for that farm bill. I did.

Now we have an important restoration of pay-as-you-go discipline, and under the 2007 baseline we have accounted for every dollar of spending in this farm bill. No deficit added, no deepening of the deficit, as figured on the 2007 baseline, compared to a very, very different situation in the 2002 farm bill.

So the gentleman's motion involves, in my view, pointing out that this might not technically jibe with the House rule. I believe that we have learned a lesson from the gentleman's motion. We ought to have our rule like the old rule where the baseline on a discretionary call by the Budget Chair can continue to be the baseline under which you drafted the legislation, because otherwise all of this work could be lost. We need to get this bill done. And we are this close to getting it done.

So with respect to my friend, Mr. RYAN, I would urge that we reject the motion. I will let this statement serve as the close. Let the Ag Committee finish its work; let's pass the farm bill. Let's reject this motion to instruct.

I yield back.

Mr. RYAN of Wisconsin. I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank my friend for yielding.

He and I and others have tried to introduce the concept of more reform in this next farm bill. But I didn't intend to speak on this motion; I just want to point out a little bit of irony in what this motion would do.

It's my understanding that by using the 2008 numbers, it would result in a lower baseline for the commodity subsidy programs by about $11 billion, which I don't have a problem with because we have introduced a 10-point option plan to find over $10 billion of reasonable savings under these commodity programs already. So it's consistent with that.

But it would also call for an increase of the baseline under the conservation title of close to $2 billion and under the nutrition title of close to $35 billion because of increased food costs and eligibility under these nutrition programs. If the nutrition groups knew what the practical effect of this motion to instruct would be, they will be doing cartwheels all over this town for the next week.

I just wanted to point out the irony of today's baseline versus last year's baseline.

Mr. RYAN of Wisconsin. I am curious, does the gentleman want time from me or time from them?

Four quick points. The war supplemental, been working on it for a year. That is going to be done under the new baseline. Number two, CBO can score this on time. They have already told us they are going to give us simultaneous scores under the 2008 baseline.

Number three, you have had plenty of time to do this. The CBO baseline has been out for 2 months. But number four, and lastly, this isn't an option, this isn't a choice. You don't have discretion. It's the rules. This is your PAYGO rules.

So the question is: Are you going to violate your rules or not?

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 offered by the gentleman from Wisconsin (Mr. RYAN).

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

Mr. RYAN of Wisconsin. Mr. 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 INSTRUCT CONFEREES ON H.R. 2419, FOOD AND ENERGY SECURITY ACT OF 2007

Mr. KIND. Mr. Speaker, I have a motion to instruct at the desk.

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

The Clerk read as follows:

Mr. Kind 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. 2419 (an Act to provide for the continuation of agricultural programs through fiscal year 2012) be instructed to—

(1) insist on the amendment contained in section 2401(d) of the House bill (relating to funding for the environmental quality incentive program);

(2) insist on the amendments contained in section 2104 of the House bill (relating to the grassland reserve program) and reject the amendment contained in section 2401(2) of the Senate amendment (relating to funding for the grassland reserve program);

(3) insist on the amendments contained in section 2102 of the House bill (relating to the wetland reserve program); and

(4) insist on the amendments contained in section 2608 of the Senate bill (relating to crop insurance ineligibility relating to crop production on native sod).

Mr. KIND (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. KIND) and a Member opposed will be recognized for 30 minutes each.

The Chair recognizes the gentleman from Wisconsin.

Mr. KIND. I yield myself such time as I may consume.

Mr. Speaker, this is a very simple motion. I understand we are in the waning, perhaps minutes of conclusion of the farm bill. But, nevertheless, I think it's important that we get the policies right. We do need a farm bill. We need it as soon as possible. It's planting season back home. Our farmers need some predictability. They need to know what rules they are being to be operating under, one way or another. But we need a good farm bill, not a bad farm bill; one that tries to get the policy right, not the wrong way.

I still believe there's more room for reform under the commodity programs in light of record high commodity prices. It's tough to justify to the average taxpayer that what is still being considered under the current farm bill is close to $25 billion of direct payments to go out over the next 5 years, bearing no relationship to price or production. It's not a safety net. These are entitlement funding, automatic payments that go to large producers, primarily merely due to their existence and not because of market.

But there's another important feature of this farm bill and that is the conservation title. This farm bill offers this Nation the greatest public investment in private land ownership in regards to anything else we do around here. For a very long time, we have had important land and water conservation programs set up on a voluntary and incentive basis to help our producers be good stewards of the land; good manure management practices so they are not running off and polluting our rivers and streams and lakes and tributaries, making sure we have got buffer strips in place, making sure we have got the ability to absorb more CO_2 from the atmosphere so we don't lose ground on the global warming battle that we are confronting.

This is something that also benefits the American farmer, family farmers in every region. But it also benefits the community at large through enhanced water quality programs, through habitat protection, and wildlife, which is also vital to our own local and regional economies. Yet what is being considered right now in the conference is a dramatic reduction in the level of funding that came out of the House.

The House had an historic passage of conservation funding last year, calling for another over $5 billion in these conservation programs. This, I think, in part, is to address the backlog of demand because today, under current funding, close to two out of every three farmers applying for conversation funding assistance are turned because of the inadequacy of funds. So the demand is there.

But what makes these programs especially attractive is their so-called ''green box payments.'' They are nonmarket, nontrade-distorting, still a way to help our family farmers manage their own land, but in a way that doesn't distort the marketplace. What's being considered now is a dramatic reduction in the level of funding that came out of the House originally.

Our motion to instruct today would merely ask the conferees to try to get back to that House level of funding rather than going even below where the Senate took it. The Senate was proposing a $4.2 billion increase. We were over $5 billion. It's my understanding, and I haven't been privy to the ongoing negotiations, but they are talking about just a $4 billion increase under conservation, substantially below where the House went.

More specifically, this motion would instruct conferees to maintain the House funding for the Environmental Quality Incentive Program. That is the main program that helps with manure management projects throughout the Nation, especially beneficial to large animal feedlots that have to control that and prevent the spillage into the environment.

It would also maintain the allotment for the Grassland Reserve Program. There is more pressure being put on these highly sensitive and highly erodible lands because of the increase in commodity prices. It would also maintain House funding for the Wetlands Reserve Program. That, of course, is a great filter that exists throughout our communities to enhance quality water supplies but also crucial to water fowl populations in North America.

It would also accept the Senate Sod Saver Provision so that the Federal Government doesn't incentivize the conversion of sensitive virgin prairie land back into crop production. Again, given the pressure that exists with these historically high commodity prices, it's a real concern that more of this virgin prairie land that has been vital for conservation efforts, especially in the Great Plains, are going to be brought back into production with the consequent adverse environmental and conservation effects that would result.

So that is merely what this motion to instruct would do; get back to what the House passed last year under conservation, give the farmers throughout the country the tools they need to be good stewards of the land, and do it in a nonmarket, nontrade-distorting fashion, especially in the tremendous increase in commodity prices today and the pressure that producers are under to bring the land that has been conserved for many years back into production and resulting with a lot more sediment and nutrient runoffs that will be a consequence of that action.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 30 minutes.

Mr. LUCAS. Mr. Speaker, I would like to now yield half of that time to my colleague, Chairman HOLDEN.

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania (Mr. HOLDEN) will be recognized for 15 minutes.

There was no objection.

Mr. HOLDEN. I thank the gentleman from Oklahoma for yielding me the time.

Mr. Speaker, I say to my friend from Wisconsin and my friend from Oregon that we appreciate their support for the funding for conservation at the House level. I have got to say honestly, though, we wish we would have had your support last July. I also say to my friends, and I mean my friends, that we

wish that we could work the will of the House and pass legislation here and send it over to the other body and have them rubber stamp it and send it down to the President and have him sign it, as we have done our work here. But in reality, that is not the way we can operate.

I say to my friend from Wisconsin, who served on the Agriculture Committee, and you know this, to my friend, we do not have partisan disagreements on this committee. My friend from Oklahoma will agree with that. We have regional differences. We have to balance those regional differences and try to figure out a way that those of us on the committee who care strongly about the commodity title are satisfied with the safety net but also realize that there has to be a reform. And those of us who care strongly about the conservation title realize that we need to have increased investment in conservation. You can pair that with energy and nutrition, everything else, but we are here to talk about conservation this afternoon.

I'd say to my friend, sure, we would like to have more money. My father used to always say to me that everybody wants to go to heaven but nobody wants to die. We have to put this together and we have to realize what is possible.

When we debated and discussed this bill in the House of Representatives, we had $13.6 billion in addition to baseline. When we are negotiating in the conference committee, we have $10 billion. So you can see the difference. So everyone had to give and take.

Again, I think when the conferees have done their work, we are going to see significant reform in the commodity title and you're going to see reform in the conservation title. The chairman asked me to make one thing perfectly clear in this motion to instruct. We have consistently said reform would apply to all titles, and we would spread scarce dollars out to more producers.

The conference agreement will do that, and we will fully fund conservation. We believe we have an obligation to do that. But we have limited resources. So we are going to do the best we can, hopefully tonight and tomorrow, to have a fully invested, robust title for conversation.

With that, I reserve the balance of my time.

□ 1515

Mr. KIND. Mr. Speaker, let me be clear. I do appreciate the hard work that our friends from Pennsylvania and Oklahoma have done and the strong support they have shown throughout the years under these important conservation programs under the conservation title, and now that we are getting into closure of this farm bill, I hope that voice of advocacy will rise again in defense of these programs, especially in light of the pressure that exists to bring this land back into production.

Mr. Speaker, I yield 5 minutes to my friend and colleague from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy. I appreciate his continued leadership and advocacy in this bill.

I would remind my good friend from Pennsylvania that earlier in this debate, Mr. KIND and I, Mr. RYAN and Mr. FLAKE, we advanced proposals that would have provided more than enough money to fully fund the conservation, would have provided more than enough money to deal for the areas of agriculture that are dramatically underserved.

This does a terrific job for the large corporate enterprises, for the richest of farmers. Lowering the limits to $900,000 may in the minds of some be a draconian reform. But when we know that the average farmer makes twice what the average homeowner makes, the average citizen makes, and I was actually campaigning in Pennsylvania for a campaign in the presidential effort here a couple weeks back, and I was in some very rural parts of Pennsylvania engaged in the discussion there, and I found that Pennsylvania is much like Oregon. We are short-changed dramatically in the farm bill.

Earlier we had my good friend from North Dakota, a State that produces less agricultural value than the State of Oregon and gets one-sixth the subsidy. Pennsylvania is a massive farming effort. Twenty-seven percent of the land area is devoted to farms. But Pennsylvania farmers get one-half of their share of the subsidy nationally, 62 percent of the applications for conservation are not paid for, and the average farmer in Pennsylvania, 83 percent make less than $100,000 a year. So these are small farmers. They are hard pressed. They want conservation, and they don't have the money for the application. It is just like in my State.

I would suggest that we look hard, because I agree with my friend from Pennsylvania and my friend from Oklahoma. This is not necessarily partisan. There are areas that agriculture policy divides, not necessarily partisan, but sometimes it is urban and rural. Sometimes it is east, west, south, midwest. It is more likely the type of agriculture that is practiced, because the vast majority of farmers in this country would have been well served by the reforms that we advocated from here, limiting the payments to $250,000, for instance, like have been advocated by the Bush administration and by many people here.

But we don't even have to get to that point. My friend Mr. KIND's motion to recommit should bring us together, because farmers all across the country, in States large and small, east and west, are for environmental protection. This is the most important environmental bill that the 110th Congress will address. We should not miss this golden opportunity.

It is frustrating to me that the conferees are talking about cutting what we approved at $5.7 to as low as $4 billion. And who knows what it might end up? There are lots of missing pieces. We need to go on record here strongly supporting maintaining at least a $5 billion level.

I will tell you, farmers in my State regularly identify conservation programs as their top need. They have to comply with all sorts of difficult environmental regulations, and we need to ensure that they get the payments they deserve for environmental protection that they provide.

It is the farm community, the ranchers, that are the source of the cheapest, most cost-effective water quality and water quantity improvement. This money supports programs that protect our most sensitive and ecologically important lands. It keeps pollution out of the lakes, rivers, streams and wetlands. It represents the largest Federal investment in private land, and it should be an investment that our farmers and ranchers can count upon year after year.

It is not just the clean water. It is maintaining abundant wildlife populations. It is storing carbon. Agriculture is one of the largest sources of greenhouse gas emissions, the largest internationally. With the increased pressure on lands from biofuel mandates and high food prices, these programs matter more now than ever before.

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

Mr. KIND. I yield the gentleman 1 additional minute.

Mr. BLUMENAUER. Thank you.

Too often I have watched in the farm legislation that I have seen work through here that conservation ends up being the piggy bank for the farm bill. This is an area that is shortchanged to deal with more powerful political interests.

Well, if the American public knew what was at stake, there would be no more powerful interest than protecting the environment. Two-thirds of the farmers who apply are turned down. This is not right. Increased conservation programs help balance out some of the inequities in the farm program and provide benefits to everybody.

I urge you to support family farmers, the environment and sportsmen, and support a good farm bill by supporting Mr. KIND's motion to instruct.

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

Mr. Speaker, I do rise in opposition to this motion. I think my good and dear friends are well intended. I think they believe that they are sincerely trying to do something positive.

But I would say to you, this process that we are working through is a complicated, challenging process. Ultimately, the final goal of any farm bill is to take the limited resources that we have and use them in a way to achieve the maximum benefit for our fellow Americans, whether that is enhancing the quality of the environment through

the conservation programs, or making sure that the world's safest and yet most affordable food supply continues to be available to everyone.

Let's think for a moment about what farm bills represent. The first comprehensive Federal farm bill was not passed until 1933 in the depths of the great economic depression, and, in my region of the country, the great droughts of the 1930s. It was an effort to prevent rural America from disintegrating. It was an effort to make sure that food and fiber remained available to all American consumers at a price that they could afford. We have worked through many policy concepts. We have had many different ways of addressing those needs since 1933.

With time, the focus of the farm bill has shifted. In the 1960s it went from being a farmer's farm bill, as the coffee shop folks back home might think of, to being a major player in meeting the nutritional needs of this program. President Kennedy's pilot program on ultimately what became food stamps adopted by President Johnson and this Congress in the 1960s became a major element. But it was an element of the farm bill. In the 1980s, the focus added conservation to that, CRP, EQIP, all of the things that enable farmers, ranchers and property owners to maximize the positive environmental impacts on their property.

The farm bill evolved. Where are we right now? We have a bill that is the result of one of the most challenging set of circumstances in decades. We were given the baseline last year to write a farm bill, and for those of you who might not remember what the baseline is, that is simply saying you have the money you had 5 years ago, and not a penny more. And, oh, by the way, inflation has chewed a good bit of that up. Go try and write a bill. Then we were told, shift $4 billion of that from wherever in the bill you want, wherever you can, to the food stamp program, the social nutrition program, the feeding programs.

Okay. We worked for months. But as things have gone along, the process has changed. Now, instead of $4 billion, then it was $6 billion, then it was $8 billion. Now I understand we are at $10.6 billion in new social nutrition spending.

I don't disagree with that. But when you are not given any new money to start with, when you are placed under a $10 billion mandate, it makes it hard to do all of the things that need to be done with the few precious resources you have.

Now we have worked in the most creative way to come up with additional revenue, to reallocate resources to meet that $10 billion mandate from senior leadership in the majority. And along the way we have come up with $4 billion extra for conservation, half of that money going to EQIP, the basic cost share program that everyone has an opportunity to apply for to try and justify the benefits that will be generated from it to have the resources to meet those needs.

My friends, I know my colleagues are well-intended. I sincerely believe that. But a farm bill, first and foremost, should be about making sure that every American has access to the safest, highest quality, yes, most affordable food and fiber in the world. Then we can target all of these other programs. Then we can meet all these other needs.

Let's don't lose sight of why we have farm bills. Let's not lose sight of who they help, and that is every American that eats, and a good part of the world that depends on us for their food suppliers also.

The budget times are tough. The circumstances are difficult. It has been a long and arduous conference. We have yet to produce a final report, which we will all then be able to debate and discuss. But don't direct us in a way that makes the process more complicated when it comes to meeting all of those needs. Don't tie our hands in a fashion that will lead, I am afraid, to a net reduction in the ultimate benefit of those taxpayer dollars, so hard for the taxpayers to come by, that need to be spent so carefully to maximize their return.

Let us pursue the agenda of meeting our needs.

Witht that, Mr. Speaker, I reserve what time I might have left.

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

Mr. Speaker, I certainly appreciate the comments of my good friend from Oklahoma and the hard work that he has done. But these are two individuals who serve on the Agriculture Committee. In fact, my friend from Pennsylvania is the Chair of the subcommittee in charge of this conservation title. My friend from Oklahoma is the ranking member of the subcommittee in charge of the conservation title.

All we are asking them and the conferees from the House to do is to protect their programs and to protect their funding level, that which was contained in the House-passed version of the farm bill last year. That is a simple request, and it received good support in the House when it left last year.

But there is an additional wrinkle that was just introduced, to my knowledge, within the last 24 hours, and that is the consideration to start capping payments under the conservation title. I think that would result in bad policy. I think it is going to result in a lot of unintended consequences, because these conservation practices aren't marketable, unlike the subsidies going to commodity crop producers, where they grow something and they can sell it in the marketplace.

To get a farmer to have a good manure management system in place or to have buffer strips and that, they can't take that outside then and sell it to the private marketplace. So these incentives are important to partner with the individual landowner to get them to do the right thing on their own land. And they want to do the right thing on their own land.

That is why two out of every three of them are being denied funding right now, because of the inadequacy of funds. The demand is exceeding the supply. We are saying let's try to catch up to that demand right now, which brings huge societal benefits at the same time, to enhance quality water supply throughout our country. And I still believe that is going to be one of the major challenges we face, not only in this country, but throughout the world in this century. How are we going to maintain a quality water supply? And if we can't partner to the level they expect in farm country, it is going to make that challenge all the more difficult.

So I would hope the conferees in their discussion and last minute deliberations of where they are going to find a nickel or dime in order to pay for things don't go down that road of trying to cap these conservation payments, like many of us have been proposing under the commodity title.

□ 1530

I think we can pay for what we are requesting in this motion through some more commonsense reasonable reforms under the title I commodity program, starting at another look at these so-called direct payments. They are slated to go for another $25 billion over the next 5 years alone. In fact, unfortunately Mr. FLAKE's motion to instruct failed a little bit earlier, but all he was asking is, let's just keeping those direct payments at the current funding level, a maximum of $40,000 instead of increasing it at a time of high commodity prices. Not an unreasonable request.

But what is being considered now going from $40,000 up to $50,000 for these direct payments and having dual entities on the same farm to qualify for it.

I also believe it is reasonable to take another look, as the President and the administration is asking, for us to have a stricter means test under the commodity programs. Let's face it, a $950,000 adjusted gross income cutoff is in the stratosphere for most individuals in this country. We are talking adjusted gross now, not just gross income. This is after you back out your expenses and all the costs of operating that farm. That is close to $1 million of profit we are talking about that an individual would receive, and still receive these commodity subsidy payments under what is being proposed in the conference.

So I think there is plenty of savings that can still be had without cutting the legs off of our producers while maintaining an important safety net in case things do turn bad in farm country. And Lord knows we have seen that cycle come and go in the past. But let's

do it in a more fiscally responsible manner and maximize the scarce resources that we have for the benefit of the community at large, and that includes funding under the conservation title.

A few groups have already weighed in on this motion to instruct and have expressed their support, from the Environmental Defense Fund, National Wildlife Federation, the World Wildlife Fund, Defenders of Wildlife, Environmental Working Group, American Rivers, those who have been actively engaged in participating and trying to shape this next farm bill. We still have an opportunity because the conference has not closed, no report has been filed yet. There is going to be some last-minute negotiations. But ultimately, at the end of the day, if my colleagues are serious about having a farm bill concluded and implemented into law, the President has to be comfortable in doing it, and clearly he is not there yet, the administration is not there. And they are pressing the conference to do more in reforming these commodity programs.

We can choose to ignore that, but at the end of the day the President has got to sign something into law, or we have to try to override a veto, which I think is going to be very, very difficult. So I think there is still a way of working with the administration, trying to produce a product that they feel comfortable with, that the President feels comfortable with. And one of the ways to do it is more reform under commodity, and have a strong conservation title at the end of the day. The President has consistently expressed his support for a strong conservation title. I don't think they would object to the requests that we are making here in this motion to instruct.

And let's remind ourselves, this is another way of providing help and assistance to those who are working the land in our country. This isn't separate from the help in other areas that we try to provide to family farmers; it is in addition to it, it is a supplement. And it is something that benefits every farmer in every region, and including all people throughout the country, instead of the concentrated payments that we see under the current title I commodity program.

With that, I reserve the balance of my time.

For my colleagues' information, I have no further speakers. I believe I have the right to close. I am prepared to do that if they are ready to close, too.

The SPEAKER pro tempore. The gentleman is correct.

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

My friend from Oregon has left the Chamber, but I appreciate him looking out after the farmers in Pennsylvania. But I would just like to remind him that Pennsylvania leads the country in farmland preservation, and we have doubled the investment for farmland preservation in this conference report as we are working it through.

I also would like to remind my friend that not only have we preserved the dairy safety net, and dairy being the number one agriculture industry in Pennsylvania, that is very important; we have a new program that we are working on in the conference to have a feed cost adjustment as the cost of feed goes up, and that will be a great benefit to the farmers in Pennsylvania and in Wisconsin for that as the cost of feed goes up.

Also, we have for specialty crops, the first time, a $1.3 billion investment that will help farmers all across the country, but they will help them in Pennsylvania as well. So I appreciate my friend trying to help me out.

And I would just say to my friend from Wisconsin again, and repeating ourselves, that we are restrained. We were working with $13.6 billion; we now are working with $10 billion. The commodity title has been cut by tens of billions of dollars from the last farm bill. There is significant reform that we are going to accomplish. And the gentleman knows, because he served on the committee, that we have regional differences, and it is difficult to get consensus because of the geographical makeup of the committee.

So we are going to get there and we are going to fund conservation, but I would like to make one last point to the gentleman's comments about capping on conservation programs. We have noticed and discovered recently that there have been significant abuses in the conservation title, where wealthy people have purchased farms with no intention of farming and have become eligible to the tune of millions of dollars for conservation programs. That was not the intent, I don't believe, in any farm bill I ever voted for or the gentleman from Wisconsin voted for or the gentleman from Oklahoma. We never intended that. So the way to get around that is to have caps on that. And not only will you stop the abuses if you put caps on it from millionaires taking advantage of it, you will have more dollars to spread around to more people who are on those waiting lists right now.

My friend, we all wish we could do more. The gentleman from Oklahoma chaired the subcommittee when we began having hearings on it. With the last election, I became the chairman and he is now the ranking member. We are working very closely together. But we have limited resources. We are going to do the best we can, but we need a bill that we can get out of committee, get passed on this floor, passed in the Senate, and sent down to the President. And we are working very hard on that. I believe we are going to get a product that will get the majority of support significantly in this body.

I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, might I inquire how much time, if any, I have left.

The SPEAKER pro tempore. The gentleman from Oklahoma has 9½ minutes remaining.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

I would simply note, one of the challenges of any farm bill, certainly every farm bill since the 1960s, has been the payment limitation issue. Every farm bill we tighten the definition, every farm bill we attempt to reflect the will of this body. We will do that again this time.

The question about payment limitations on the conservation programs, that is an inevitable outcome, simply the fact that there will never, ever be enough money to do everything we all want to do. And in a year and a bill when we put 10 billion additional dollars in the nutritional program, no doubt justified, but that was a decision made on high, that makes funding for all these other programs even more challenging. $4 billion in additional conservation spending is an impressive accomplishment in the circumstances we work, but those payment limitations are a necessary thing, just as in conservation as in every other part of the bill to make sure that everyone has a fair and equitable chance at those resources.

When you apply for an EQIP program, you have to demonstrate the benefits of that program. And the more beneficial your efforts are, the greater your chances are, the farther up the list you are to be funded. It is a competitive kind of a process. And that is good. But those payment limitations will make sure that more people have an opportunity to step into the process to utilize those funds. We are dealing with the money that has been given to us. We are working under the circumstances that have been laid out, and we are doing the best we can.

I urge my colleagues to reject the motion to instruct.

I yield back the balance of my time.

Mr. KIND. Mr. Speaker, I yield myself such time as I might consume.

Just to wrap up my remarks, let me just reiterate. I truly do appreciate the hard work my colleagues here today on the Agriculture Committee have been doing to try to craft a farm bill that can get accomplished yet this year. It is one of the most difficult things that Members are asked to do in any Congress, is to piece together the parochial and the different interests that span this great country to find an acceptable farm bill that can get signed into law. But we still have a little ways to go.

And I say to my friend from Pennsylvania, as far as the feed factor with dairy production, there is no question that fixed costs are going up right now in agricultural production driven by a variety of factors, not the least of which is the energy debacle that we find ourselves in right now.

But I think once we start going down to that feed route, we are going to get a lot of other groups now chiming in saying: What about us? What about us? How come dairy is being taken care of? What about poultry? What about beef? What about the others that are experiencing the same type of cost increases? And then you are really talking about blowing the lid off of some of these other programs.

But all that I and others who are in support of this motion to instruct are asking is for the members of the committee to defend their work, defend the programs that passed the House last year, defend the funding level that came out of the House last year because of the vital importance that these programs have, not only to the individual land producers, but to the resources that are so precious to all of us in this country.

Now we see disturbing trends; because of the high commodity prices, great pressure to bring more highly erodible sensitive land back into production. And there will be adverse consequences from that, unless we can maintain a viable incentive based system with these conservation programs to deal with that additional pressure that producers are facing throughout the Nation.

I think there is a better way of dealing with the abuses that my friend from Pennsylvania highlighted under the conservation program. Certainly we can do more oversight and get more information with regards to whether individuals are milking the system. No one is in support of that. We want to clamp down on it. But let's work with USDA and NRCS and those agencies in charge of implementing it, rather than calling for a blanket payment limitation cap with crucial conservation funding. Because, again, I am afraid that without these incentives in place, I don't care how wealthy you are, there won't be much incentive for you to engage in these type of programs, which just doesn't benefit the landowner but the community and the watershed area and the wildlife at large. So we need to be careful what road we are going to go down.

And, hopefully, this isn't just a response to some of us who have been asking for meaningful payment limitations and means testing under the commodity program just to get back at those who have been very supportive of conservation funding.

I think there are reasonable means tests we can apply to the commodity title. The fact that LDP and countercyclical payments aren't going up today I think is a good thing. That means farm income is up and commodity prices are up.

Back home in Wisconsin, in the agriculture district that I represent, farmers for years have come up to me and said: You know, I'm not a big fan of these subsidy programs, but I just wish the market would give us a decent price so we wouldn't have to rely on them. Well, that day has come. Now today I have got producers in corn and soybean coming up to me and saying: RON, why are we still receiving these direct subsidy payments when we are getting such a good price in the marketplace? And they are right. Farmers know how these programs are working.

I think we can be a little bolder and more courageous in the reforms that some of us have been advocating, find those savings, so we can deal with conservation, nutrition, world development, speciality crops, and having a good energy title to this farm bill, too. This can happen, and it can happen in a way that the President feels comfortable in signing. And that will truly be a good bipartisan day then in the United States Congress. I encourage my friends to support this motion to instruct the conferees.

Mr. REICHERT. Mr. Speaker, I rise today in support of the Kind motion to instruct conferees and the need for increased conservation funding in the farm bill.

Our farmers are eager to share in the cost of protecting our environment, but currently two out of three farmers are turned away by the USDA due to insufficient funding when they apply to participate in conservation programs. As a result, we continue to lose thousands of acres of valuable farmland, grasslands, wetlands, and private forest lands. We also fall further behind schedule in our efforts to clean up rivers, lakes and streams.

We cannot and should not ask farmers to choose between their bottom line and smart, sensible preservation of the land they protect. The House-passed version of the farm bill contained a landmark increase of $5.7 billion in authorized conservation funding. This money supports programs that protect our most sensitive and ecologically important lands, keeps soil and nutrient pollution out of our rivers, lakes and streams, and safeguards wetlands.

Since the conference committee is weighing various priorities as they try to bring the farm bill process to a close, it is important they know that Members of this House feel that conservation should be at the top of the priority list and that we maintain what the House has already passed.

I strongly encourage my colleagues to support this motion and to support the inclusion of the necessary conservation funding in this farm bill.

Mr. KIND. 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 offered by the gentleman from Wisconsin (Mr. KIND).

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

Mr. KIND. Mr. 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.

APPOINTMENT OF HON. STENY HOYER AND HON. CHRIS VAN HOLLEN TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH MAY 5, 2008

The SPEAKER pro tempore (Mr. CUELLAR) laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 1, 2008.

I hereby appoint the Honorable STENY H. HOYER and the Honorable CHRIS VAN HOLLEN to act as Speaker pro tempore to sign enrolled bills and joint resolutions through May 5, 2008.

NANCY PELOSI,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

BLOCKING PROPERTY AND PROHIBITING CERTAIN TRANSACTIONS RELATED TO BURMA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–107)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the ''order'') that takes additional steps with respect to the national emergency declared in Executive Order 13047 of May 20, 1997, and expanded in Executive Order 13448 of October 18, 2007.

In 1997, the United States put in place a prohibition on new investment in Burma in response to the Government of Burma's large scale repression of the democratic opposition in that country. On July 28, 2003, those sanctions were expanded by steps taken in Executive Order 13310, which contained prohibitions implementing sections 3 and 4 of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) (the ''Act'') and supplemented that Act with additional restrictions. On October 18, 2007, I determined that the Government of Burma's continued repression of the democratic opposition in Burma, manifested at the time in the violent response to peaceful demonstrations, the commission of human rights abuses related to political repression, and engagement in public corruption, including by diverting or misusing Burmese public assets or by misusing public authority, warranted an expansion of the then-existing sanctions. Executive Order 13448, issued on that date, incorporated existing designation criteria set forth in Executive

Order 13310, blocked the property and interests in property of persons listed in the Annex to that Executive Order, and provided additional criteria for designations of certain other persons.

The order supplements the existing designation criteria set forth in Executive Order 13310, as incorporated in and expanded by Executive Order 13448. The order blocks the property and interests in property in the United States of persons listed in the Annex to the order and provides additional criteria for designations of persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to be owned or controlled by, directly or indirectly, the Government of Burma or an official or officials of the Government of Burma; to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, any successor entity to any of the foregoing, any senior official of any of the foregoing, or any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or the order; or to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or the order.

The order leaves in place the existing prohibitions on new investment, the exportation or reexportation to Burma of financial services, and the importation of any article that is a product of Burma, which were put into effect in Executive Order 13047 and Executive Order 13310.

The order authorizes the Secretary of the Treasury, after consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and section 4 of the Burmese Freedom and Democracy Act of 2003 as may be necessary to carry out the purposes of the order.

I am enclosing a copy of the Executive Order I have issued.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 30, 2008*.

□ 1545

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.

U.S. MILITARY READINESS HANGS BY A THREAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, in matters of national security, experienced leaders never forget that the unexpected is always just around the corner and that danger is never far away. The Roman orator Cicero immortalized these ideas in his story about the Sword of Damocles.

Damocles, a citizen of the ancient Greek city of Syracuse, wanted to be king for a day. The king agreed to this request, and Damocles feasted and reveled with wine and fine meals. Only after his merrymaking did Damocles discover that a razor-sharp sword, suspended by a single thread, hung over his head all day. Damocles was immediately cured of his desire to rule.

When I consider the challenges confronting the U.S. national security today, I see not one but two swords of Damocles dangling above us. The first danger concerns the strain current operations place on U.S. military readiness, and the second concerns the deterioration of security and stability in Afghanistan.

Military readiness ratings measure how prepared U.S. forces are to perform their assigned combat missions. Unfortunately, but not surprisingly, more than 6 years of war have resulted in serious readiness shortfalls, with our Army and Marine Corps ground forces experiencing the most acute problems. In spite of efforts to fill the gaps in equipment, training and personnel, readiness deficiencies serious enough to cause alarm last year have only continued to expand.

Today, two-thirds of the Army's combat brigades in the United States are not ready for duty. Units in the U.S. are suffering from shortages of personnel, and units are preparing for deployment without having all of their assigned personnel or equipment during training. To fill shortfalls in Army personnel, the Navy and Air Force are supplying over 20,000 troops to conduct ground force tasks such as convoy security and logistics support.

While U.S. military forces are getting by, painfully, and performing today's missions despite readiness shortfalls, we are simply not prepared for the emergence of a new conflict. Experience tells me that we cannot assume another crisis won't come our way. In my 31 years in Congress, the U.S. has been involved in 12 significant military conflicts, none of which were predicted beforehand. Because we can't know with complete certainty what dangers lurk around the corner or when they might strike, we need the insurance policy military readiness provides for America's security.

Our current readiness situation demands a massive investment in time, effort and money to restore our full capability. Of course, devoting the resources required to solve our readiness problems will force us to make painful tradeoffs with some elements of modernization, which is tomorrow's readiness. But with current readiness levels, this is a predicament our Nation cannot avoid. It is simply a cost we must bear.

The second danger I worry about is the deterioration of security and stability in Afghanistan. For too long, the war in Iraq has overshadowed the real war against terrorism in Afghanistan. While the military effort there is actually a qualified success, the political effort at this point is not, and the benefits of economic progress are far too uneven. Too many Afghan citizens do not yet see tangible improvements in their daily lives. The effort in Afghanistan is not really reconstruction, but the creation of a stable, secure, and unified nation which has never existed.

The recent decision to send an additional 3,200 marines to Afghanistan is a necessary and positive step in the right direction, but that alone will not be sufficient. This undertaking is gargantuan and requires a far more significant effort than the United States or our allies have been willing to commit. History will judge us very harshly if our focus and effort in Afghanistan is insufficient to the task. A failure of the mission there would not only damage our security, it would also seriously damage NATO.

So how do we deal with these twin challenges? To start, we must focus our Nation's strategic priorities to find the right balance between the near-term needs and the long-term health of our military. We must address the imbalance in our deployment and use of troops overseas, because our readiness problems cannot be resolved as long as we continue to deploy in excess of 100,000 troops in Iraq. A responsible redeployment of a large percentage of that force is a strategic necessity.

In addition, we must do first things first by focusing on Afghanistan, just as in World War II we focused more of our resources on Germany and the war in Europe until that war was won. Finally, we must substantially increase the use of our soft power, our diplomatic, economic development, and strategic communications efforts in Afghanistan and around the world.

We can and should receive much more help from our allies. Together, the U.S. and the international community must make the war in Afghanistan a top priority and provide the leadership, strategy, and resources necessary to ensure that Al Qaeda and the Taliban are destroyed for good and that Afghanistan never again becomes a safe harbor for terrorists.

To his great credit, Secretary of Defense Gates has been arguing for several of these solutions. The truth is, though, that the U.S. has as much or more to lose in Afghanistan as any other nation, and the same would be true of whatever new conflicts emerge. Until our country is prepared to lead and act decisively, these problems will fester, and the threads holding up those twin swords will stretch ever thinner.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TRAGIC ANNIVERSARY OF ''MISSION ACCOMPLISHED''

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today marks a tragic anniversary. Five years ago President Bush delivered his infamous ''Mission Accomplished'' speech aboard the USS *Abraham Lincoln*.

Across this country, Americans are holding rallies and vigils to mark this occasion. And members of the International Longshoremen and Warehouse Unions are giving up a day's pay and they are marching in the streets to show their opposition to the failed policies of the Bush administration and of the cost of those policies.

We all remember that the President put on a green flight suit and white helmet and arrived in the copilot seat of a Navy Viking jet. Then he stood at a podium beneath a big ''Mission Accomplished'' banner and he spoke.

He said the search for weapons of mass destruction had already begun, and he declared that ''major combat operations in Iraq have ended.''

Obviously, the American people didn't get the real facts that day, Mr. Speaker. So here's what should have been said. He should have said: ''My fellow Americans, our soldiers have performed with great skill and courage. But, frankly, the administration doesn't have a clue what to do next.''

It didn't have a plan for the occupation. It didn't have an exit strategy. And the people who actually understand the history and culture of Iraq were warning us that there were going to be insurgencies and civil war. He should have said: ''Major combat operations have not ended—they have just begun.''

Today I joined with my Out-of-Iraq Caucus colleagues, MAXINE WATERS and BARBARA LEE, to send a Dear Colleague Letter that describes the terrible human cost of the bungling in Iraq. It shows that over 96 percent of all American deaths in Iraq and over 98 percent of all casualties have taken place since the ''Mission Accomplished'' speech.

But you don't have to look, Mr. Speaker, at the cumulative devastation of the past 5 years to know that the occupation is a disaster. Just look at what happened in April, April of 2008, last month: Fifty American soldiers died, the highest number in 7 months. Thousands of innocent civilians were killed or injured in the bloody battle at Sadr City which continues to rage. The Pentagon was forced to extend the ''stop-loss'' policy because our military is stretched to its limits.

And as the administration acknowledged that al Qaeda is growing stronger in its safe havens in Pakistan, the drumbeat for war against Iran grew louder.

Here at home, the occupation continues to be a factor in driving gas prices higher. The Iraq recession continues in full swing. And every week, billions of dollars continue to be spent on military operations in Iraq that are desperately needed for domestic programs right here.

Sheer incompetence has surely been one reason for this. But the most important reason for our failure in Iraq is the fatally flawed national security policy. It has been a policy marked by arrogance, by the belief that America can go it alone and has the right to strike anywhere and anytime it pleases. And by the idea that military power alone can assure our security.

I hope we will use this ''Mission Accomplished'' anniversary date in a positive way so we can learn the lessons of the past 5 years and dedicate ourselves to a new foreign policy that will serve us much better. This new policy must be based on diplomacy; international cooperation; the rule of law; rejection of the doctrine of preemption and the use of torture; and, a commitment to helping other nations of the world to build a better life for their citizens.

Finally, Mr. Speaker, on this ''Mission Accomplished'' day, we must ask ourselves: What is America's mission? The American people believe that our mission is to stand up for the values of democracy, for human rights, and for peace. Those are the values that the dock workers are standing up for today. Those are the values that have been ignored and predictably resulted in disastrous results.

□ 1600

The SPEAKER pro tempore (Mr. JOHNSON of Georgia).

Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina 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 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 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 California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF 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 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.)

SUNSET MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, I stand once again before this House with yet another Sunset Memorial.

It is May 1, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Mr. Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 12,883 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Mr. Speaker, died and screamed as they did so, but because it was amniotic fluid passing over the vocal cords instead of air, no one could hear them.

And all of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Mr. Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, ''The care of human life and its happiness and not its destruction is the chief and only object of good government.'' The phrase in the 14th amendment capsulizes our entire Constitution, it says, ''No State shall deprive any person of life, liberty or property without due process of law.'' Mr. Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Mr. Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

Mr. Speaker, let me conclude in the hope that perhaps someone new who heard this Sunset Memorial tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 12,883 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust is still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

So tonight, Mr. Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called abortion on demand.

It is May 1, 2008, 12,883 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children, this in the land of the free and the home of the brave.

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.)

OUR WORSENING HEALTH CARE CRISIS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Michigan (Mr. CONYERS) is recognized for 60 minutes as the designee of the majority leader.

Mr. CONYERS. Mr. Speaker, we are in the midst of the ''Cover the Uninsured Week,'' and I rise to remind the Chamber of the worsening health care crisis that we face as a Nation, and propose a solution to one of the biggest challenges of the 21st Century facing us.

Lack of health insurance often denies necessary medical care. Forty seven million Americans are uninsured. This problem is not limited to the poor or the unemployed. Researchers have estimated that about four-fifths of the uninsured are either employed or members of a family with an employed adult.

As well, there are an additional 50 million Americans who are underinsured; that is, they have coverage that would not protect them from catastrophic medical expenses. Simply put, an increasing number of Americans lack adequate health insurance because they and their employers simply cannot afford it.

Despite the challenges of the war in Iraq and the slumping economy, we all agree that the uninsured need to be covered. Even the health insurance companies have their own plan for covering the uninsured. I'm glad that we're on the same page, after all these years.

The real question we face is, how do we go about covering the uninsured? And how do we ensure that every American has access to quality medical care when they need it?

I strongly believe in a single-payer national health insurance, an approach that has been too often marginalized in debates on this issue, even though it has been successfully employed in almost every industrial nation except our own.

Mr. Speaker, it's time for Congress to consider single-payer, not only as a viable option to cover the uninsured, but as the preferred solution to fix our broken health care system. And make no mistake about it, it is in very bad shape.

According to a January 2007 article in the Journal of Health Affairs, France, Japan and Australia rated best, and the United States worst in new rankings focusing on preventable deaths due to treatable conditions, in 19 leading industrialized nations.

The article revealed that if the United States health care system performed as well as those top three countries, there'd be 101,000 fewer deaths in the United States each year.

Equally disturbing, the Institute of Medicine reports that 20,000 Americans die each year as a direct result of having no health insurance. How can we, in the Congress, who receive fairly decent health care, tell 47 million uninsured Americans that they cannot have access to health care?

With the knowledge that 20,000 Americans die each year without health insurance, how can we, in Congress, who do have health insurance, not place universal health care as a front burner issue in this chamber?

This is a moral challenge that we all must pick up. And incrementalism will not work. Expanding a broken system or fixing parts of it will not work. We must approach the health care solution the same way a physician approaches the treatment of disease. Doctors do not employ treatments only because they are easy or feasible. They choose evidence-based solutions based upon peer-reviewed research in order to employ the most state-of-the-art care available. And so I propose we take the same approach to crafting a universal health care plan.

So today, I ask the following question: What further disaster must befall us before we face the crisis of the uninsured and the underinsured?

How many more people must die due to the inability to receive care in the world's healthiest Nation before we, in Congress, take action and create a truly universal health care system?

For those who believe that we are not ready to have a universal health care system, and must delay the formation of a comprehensive, national health insurance program, I ask you to consider the following evidence that demonstrates why we can ill afford delaying action on a universal health care system.

Health care horror stories are cases in which the result is so tragic that it shocks the conscience. We hear about them almost every day, in the newspapers, magazines, the Internet, television, radio, personal encounters with our friends and neighbors.

In the movie ''Sicko'' we, as a Nation, saw firsthand how even those with health insurance suffer under the current, for profit, employer-based private health insurance system.

In my office, I receive scores of health care horror stories each month, and have binders in my office of health care tragedies that we have collected over the last 8 years. In fact, when Michael Moore was doing research for ''Sicko'' he received 25,000 health care horror stories himself, after he made an appeal for those horror stories on his website.

I'd like to read a health care horror story sent to us by Adrienne Campbell from Michigan, a story, that, unfortunately, millions of Americans who are underinsured or uninsured can relate to. Here's her story.

My sister, who is 22 years old right now, was diagnosed with cervical cancer, the same cancer I had at the same age. She graduated from college back in December, so she is off my dad's insurance.

Jobs are hard to find here in Michigan, so she's working two part-time jobs, and neither of them provide insurance for part-time workers.

She has to go through what I did, but instead of actually being able to get medical treatment right away, then having to pay for it, she has to put off until she and the hospital can work out a payment plan. They told her the soonest they might be able to perform the surgery will be in April.

We've been calling around seeking other options. She's at Stage 4. I was at Stage 2, when I went through my ordeal, so she's in much worse condition than I was; which worries me.

This is unacceptable. It's like I am living my horror all over again, only this is my sister. This is why we have

to fight. We have to shake things up this election year.

There's nothing you can do for my sister at this point, except keep her in your prayers, and I hope that she can get surgery soon. But, for those women who may get cervical cancer down the road, let's fight for universal health care so they don't have to go through the money worries.

I love my sister, Victoria, or as my daughter calls her, Aunt Gickie, because she can't say Vickie.

Please, just keep her in your prayers and thoughts. Thanks for letting me vent. I love her too much to see this happen to her.

Mr. Speaker, we do not have a health care system in this country. What exists is a fragmented, nonsystem of health care. It's a wasteful and inefficient patchwork of different plans and schemes that allow too many people to fall between the cracks.

The complexity of this nonsystem is what makes it unsustainable. Private health insurers are in the business to make a profit. Make no mistake about it. In fact, the real problem is that insurance companies are not as much in the business to provide care as they are in the business to deny care. They keep profits up by avoiding high risk patients, limiting the coverage of those they do insure, and passing costs back to patients through copayments and deductibles.

They deny coverage based on pre-existing conditions, including such costly diseases as athletes foot and yeast infections.

They employ an army of adjusters who go through mountains of paperwork, all mostly working to figure out a way to deny a claim. We have the story of insurance company whistleblower, Dr. Linda Pino, who tells us she was paid a bonus on how many claims that she could deny, and threatened with demotion if she authorized payment on more claims than her peers.

These practices are harmful. They're expensive. All those adjusters and paperwork cost a lot of money. Add to that insurance costs the insurance company's spending on advertising, huge executive salaries, and profits for shareholders, and the result is an average overhead of 15 cents on the dollar. Compare that with Medicare's overhead which is between 2 and 3 cents.

The complexity of this nonsystem not only leads to gaps in coverage and navigating nightmares, but it's underscored by the duplicity and waste created by the multitude of health insurance companies.

Mr. Speaker, I'm pleased now to recognize the gentleman from Ohio, who's been on this plan for—several Congresses ago he was and is the original co-founder and original signer with me to this bill. He's worked relentlessly in the Congress and across the country in making it clear that we're working on a system that some day is going to bring so much joy and benefit to the millions of Americans in this country. He's a fearless, dedicated, articulate leader, and I would now yield to my colleague, DENNIS KUCINICH.

□ 1615

Mr. KUCINICH. Mr. Speaker, I'm so grateful to have the opportunity to work with Mr. CONYERS on this important bill. Years ago, when we were having those meetings where the legislation was being crafted, we both knew what an important moment it would be for the people of the United States to be able to have a health care system they could call their own. So I want to take this opportunity, as I begin my remarks, to salute the work of you, Chairman CONYERS, and all that you have done and your dedication in working to make sure that the American people have a national health care system, a not-for-profit system. That's been your dedication. It has been an honor to work alongside of you in this endeavor.

As we speak today about covering the uninsured, we speak to the American people who are worried about whether loved ones are going to be able to get the care that they need. There is nothing that is more troubling to a family than to have a family member who is ill and yet cannot get the medical care that would be necessary to bring them back to health. There are 50 million Americans who are uninsured. This means that when they see others able to get the care they need, they recognize in their own families that they cannot sustain the health of loved ones or themselves.

Why is it that people are uninsured? Well, there are many reasons, but the principal reason is they simply cannot afford health insurance.

You know and I know, Mr. Chairman, that there are so many families that are called upon to spend $1,000 or more a month for health insurance. The price of gasoline going up to more than $4 a gallon, the cost of bread going up, milk, eggs, meat, all basic staples of an American diet, costs going up, up, up. People are finding that the costs of health insurance is becoming prohibitive. And so they simply can't afford it. So they remain uninsured, thereby leaving their entire family health open to a challenge.

How many of us would be able to survive financially being uninsured? Very few, because what happens is that if you're uninsured and you have health care bills, you're going to have to pay those bills. And you know that the greatest cause of bankruptcy in the United States relates to people not being able to pay their hospital or their doctor bills. That's a fact of life. There is no other issue which touches the American family and touches all of us so uniquely as this issue of health insurance. People can't afford it.

This is a tragic problem, and it's getting worse. About 22,000 people die every year because they're not insured; this, according to the updated Institute of Medicine Statistic. But we cannot talk about the uninsured without talking about the underinsured as well.

There are another 50 million Americans who are underinsured. Now think about it. 50 million uninsured, 50 million underinsured. 100 million Americans. One out of every three Americans is touched by this dilemma, and that means virtually every American family is either uninsured or underinsured. If you're underinsured, premiums are expensive, you may not be able to pay the premium to get the coverage you need, Co-pays and deductibles go higher and higher and higher. The American family is owned by the health insurance companies.

What kind of a country are we becoming where the people of this country can't get the care they need because almost $1 out of every $3 is taken off the top by the for-profit insurance companies for advertising, marketing, the cost of paperwork, corporate profits, stock options, executive salaries, all of those necessary things that Mr. CONYERS has talked about in the past. $700 billion a year goes for expenses that are totally unrelated to the cost of health care. $700 billion a year. Meanwhile, you have 50 million uninsured and another 50 million underinsured. The insurance companies own us. We don't own our own health care system.

And the insurance industry is the reason for the underinsurance problem and all that goes with it. Half of all bankruptcies are tied to medical bills. And of those medical bankruptcies, listen to this, three-quarters of those had insurance before they got sick. So even with insurance, people are going bankrupt because they can't handle the copays and the deductibles.

Of all of the medical bankruptcies in the United States, three of every four people had some kind of insurance before they got sick. They fell victim to insurance companies whose only way to make money is to deny care. How do these insurance companies make so much money? They make money by not providing health care. They make money telling people, We're not going to pay that claim. You're not going to be covered. The more people they can exclude, the more money they will make. It is a racket. Health care is a racket. Health insurance, rather, is a racket.

It is time we took America in a new direction, which is what the Conyers' bill, that I am proud to be a co-author of, is all about. H.R. 676 is to provide for a universal, single payer, not-for-profit health care system. It finally puts health care back in the hands of the doctors and the patients. It eliminates the insurance companies as middle persons, middlemen, who are able to skim almost $1 out of $3 off the top while 50 million Americans are uninsured and another 50 are underinsured.

We need to make a clear distinction between ''health care'' and ''health insurance.'' The two are very different.

Doctors and nurses are not the same as health insurance CEOs. Doctors and nurses provide care. Insurance companies' CEOs, they deny it. There's a difference between health care and health insurance. If you have insurance, it doesn't mean you have health care. There are increasingly creative and complex ways to deny health care: copays, deductibles, premiums, limits on daily coverage, caps on annual amount spent, failing to cover certain medical conditions, failing to cover certain accidents, failing to cover certain drugs, failing to cover certain total spending amounts, like the privatized Medicare Part D donut hole, failing to cover hospital stays, or minimizing the coverage.

What has this hunt for profitability in health insurance cost us? Well, it's cost us a lot of money. It's driving up health care costs beyond the reach of most Americans. Listen to this statistic: between 1970 and 1998, the number of doctors and other clinical personnel increased by 2.5-fold. During the same time, the number of health administrators increased more than 24-fold. There's an explosion of the number of people in the health care system who do not provide care. They instead are told to deny care.

It boils down to this: The insurance industry is the problem. It is not the solution. The only way to truly cover everyone is to guarantee access, not to force working men and women to subsidize the insurance industry whose very presence forces people to pay out of pocket to keep the industry alive. We need health care run by doctors and their patients, not insurance companies. Health care is a basic human right.

So Mr. CONYERS, I just want to express to you my appreciation for the work that you have done to bring this issue before the American people. To have had the opportunity over many of the last few Congresses to work with you on this has really been an honor.

And when we remember when we go back home, you to Detroit and me to Cleveland, and we see people who need care, our hearts break when we realize that they can't get it because insurance has just ended up being a big business and they don't care about people anymore. It's all about making money. All about profit.

So Mr. CONYERS and I know that H.R. 676 stands alone in an increasingly crowded field of ideas that are going to provide health care for people. And this proposal addresses the accessibility problem.

Employer-based insurance requires people to continue to work in order to keep their insurance even if it worsens their health. Now, I know Mr. CONYERS worked with the UAW for years and years before coming into Congress. What happens if you lose your job? People end up, after their COBRA benefits are gone, they lose their health insurance. Our proposal says if you lose your job, you're still insured. If you don't have money, you're still insured. If you have a pre-existing condition, you're still insured. This covers dental care, vision care, mental health, long-term care, prescription drugs. It's all covered.

Mr. CONYERS, thank you. Thank you for your dedication to the American people. Thank you for your willingness to lead the way, and I'm just so grateful that I have the opportunity to work with you.

Mr. CONYERS. Mr. Speaker, may I say to my colleague that I am so flattered that he remembers the days when we started out with just a few Members. We're up somewhere about 90 now and growing every week, every month. More and more people are joining us. And in addition, there are growing numbers of medical professionals, doctors, researchers, health care experts, who are all recognizing how important what you have said is in terms of how we move out of the situation that we're in.

Your description of the pain and suffering of so many of our citizens because of the lack of health care leads to situations so horrible that they truly shock the conscious.

Mr. KUCINICH. Mr. Speaker, if the gentleman will yield, you mentioned, Mr. CONYERS, that many doctors support this. When I first ran for Congress in 1972, doctors generally opposed this idea. But there is a new survey that just came out published in the Annals of Internal Medicine that states that of the physicians that were contacted in this survey, thousands of them, 59 percent of the physicians now support a national health care plan, which is why I believe when you have the physicians supporting it, the patients support it, all we need is to keep adding to the numbers in the House of Representatives; and with Mr. CONYERS' leadership, we're on our way to creating a national health care system.

Once again, I want to thank the gentleman for the opportunity to share some time with you here. And again, the people of the United States owe you a debt of gratitude for your relentlessness and your dedication on this, and I intend to keep working at your side as we move forward to create a universal, single-payer, not-for-profit health care system. H.R. 676, the Conyers bill, is the way to go.

Thank you.

Mr. CONYERS. Thank you, Congressman KUCINICH.

And as our numbers grow in the Congress, you know that the American people have already indicated in policy after policy that they want a universal health care plan. Many are willing to even pay more to get it, but they don't have to. And this is a labor of love which I am so proud that nearly 100 of our colleagues are now working with us.

And I yield again to the gentleman.

Mr. KUCINICH. As the Chairman is always able to do, you bring up another point that I think would be helpful to amplify, and that is that people will say, Well, how are you going to pay for this? Well, guess what? We're already paying for a universal standard of care; we're just not getting it. $2.3 trillion a year goes for health care in the United States. $2.3 trillion.

And when you consider the fact that the for-profit insurance companies take almost $1 out of every $3 or almost $700 billion a year, you take that $700 billion—am I right, Mr. Chairman—you put that money into care and you suddenly have enough money to cover all Americans, the underinsured and the uninsured are covered. So how we pay for it is using the money that's already in the system, and that's how much profit is in health care insurance or health insurance these days.

□ 1630

Mr. Speaker, once again, thank you for bringing out that point about the fact that it is able to be covered without any current change in our system, although we have a funding formula that you've helped to develop that will guarantee that all Americans will be covered far into the future.

So again, Mr. Chairman, I'm grateful the people of Detroit are fortunate to have you representing them in the United States Congress.

Mr. CONYERS. In addition, we are creating a system of preventive health care. We are creating a system in which people, when they initially get sick, can go to a doctor instead of being forced to go to emergency rooms where they get temporary treatment, and then they're back at home or on the streets again. We will make the country healthier. And national health care is an ambition that is very much related to national security. So I'm pleased that all of these things can occur with the consideration of House Resolution 676.

In the last 10 years, the cost of health care to businesses has increased 140 percent. We need an efficient universal health care system that protects American businesses from skyrocketing health care costs so that, as a Nation, we can remain competitive in the global marketplace.

The rising cost of health care in this country has played a significant role in the current economic climate, specifically with regard to the outsourcing of labor to foreign countries. Between 2000 and 2007, United States health premiums have risen 98 percent, while wages have only increased by 23 percent. The average family health insurance plan now costs more than the earnings of a full-time minimum wage worker.

Our fractured non-system of health care is crippling our economy. But don't take my word for it, just ask the United Automobile Workers and the AFL–CIO, or even the automobile makers themselves. Health care has become such a central issue for General Motors that Economists magazine only partly

in jest called the company a pension hedge fund wand health insurance business that happens to make cars.

Ford and General Motors pay nearly $1,500 in health care costs for each vehicle they produce, while BMW pays $450 in Germany, and Honda only $150 per vehicle in Japan.

A General Motors executive told former Senator Tom Daschle, a proponent of universal health care, that the high cost of health care is the single largest impediment to creating more jobs in the United States. An IBM executive, Senior Vice President for Human Resources Mr. J. Randall McDonald, recently predicted that 5 years from now this problem will have to be cured or the competitiveness of the United States will be drastically impacted.

Small business employees are one of the fastest growing segments of the uninsured and now comprise about one-fifth of the total uninsured population. Kansas Governor Kathleen Sebelius told the New York Times, ''Affordable coverage for small business owners and self-employed individuals is probably the biggest challenge that we have in Kansas and most states.''

Incredibly, one-fifth of working age Americans, both insured and uninsured, have medical debt that they are paying off over time. More than two-fifths of these people owe $2,000 or more. Medical bills are the leading cause of bankruptcy in the United States, accounting for half of the personal bankruptcies. If unpaid medical bills are the leading cause of bankruptcy in this country, then how can we in good conscience delay any longer in Congress to create a truly universal health care system?

High deductibles in private health insurance plans are another barrier to consistent care. Eleven million people with health insurance have per-person deductibles of $1,000 or more. One recent study found that 44 percent of adults with deductibles of $1,000 or more did not fill a prescription, declined to see a specialist, skipped a recommended test or treatment, or didn't see a doctor when they had a serious medical problem.

There are additional sums spent by hospitals and doctor's offices to deal with each insurance company's rules, regulations, and forms to fill out. After a number of our satellite industries take a cut, we're looking at up to 50 cents on the dollar being spent on administration, marketing and profits. All this is money we could be spending on health care.

Drug prices in this country are about 60 percent higher than prices in Canada or Britain, and this is not because Big Pharma is doing so much research and development. In fact, data from the pharmaceutical companies' own annual reports show that they spend almost three times as much working on marketing and administrative costs as they do on research and development.

It is not because American companies are carrying the burden of doing research and development for the rest of the world. Drug companies in the European Union put out about the same number of new products each year that American companies do. And our drug industry's research and development gets huge taxpayer subsidies from government-supported research done by the National Institutes of Health and American universities. In fact, only a very small percentage of the new drugs produced in America are in fact innovative developments. Most are varieties of old drugs developed simply to extend patent protections so that they can keep on charging those high, excessive prices.

The reason drugs cost more in America than anywhere else boils down to a single factor: Profit. The drug companies have the highest profit margins of all American corporations. Their profits as a percent of sales run about 19 percent, compared to a median of about 5 percent for Fortune 500 companies.

Mr. Speaker, the American people are concerned about the direction in which our economy is heading. As we spiral headlong toward a recession, if we're not already in one, both large corporations and small businesses have to make difficult decisions to keep their business afloat. For most Americans, the loss of employment means the loss of health insurance.

The bottom line: If we can streamline the operations of the health care system by decreasing wasteful overhead and appropriately allocating funds, we can not only ensure the coverage of everybody in the United States, but we can provide for true health care. And that is an important point; coverage does not equal care.

My plan, H.R. 676, is simple. And its simplicity is the very thing that will allow it to succeed where others will fail. Many of the plans generally add an individual mandate and even more insurance options. Others suggest financial mechanisms like tax credits or savings accounts. These other plans will not guarantee coverage that is universal, affordable or comprehensive. They fail to do anything to decrease administrative costs or complexity, in fact, they add to it. They can't control costs, and so ultimately they will be unsustainable.

Now, I began from the premise that health care is a basic human right, not a privilege, a basic human right. This is the consensus opinion of the international community, as enshrined in the Universal Declaration of Human Rights and other documents.

I also believe that government has a fundamental role to play in guaranteeing this right to each and all of its citizens. This is the view of the other industrialized nations, all of which have single payer health care systems that cover all their people, cost far less than ours and, sadly, get more and better results in terms of health outcomes.

I believe that health care must not be a market commodity. The market dictates that one's ability to consume a particular product is constrained by one's ability to pay for it. This approach may be feasible when one is talking about buying hamburgers or tennis shoes, but it is unacceptable when it comes to health care. Our access to health services should be determined by only one thing, what our doctor thinks we need. Profit should not be a factor.

Let me clarify: I do not advocate socialized or government-run health care, such as the National Health Service in Great Britain. I propose a plan that is publicly financed, but privately delivered, like those in Germany or France or Taiwan.

The role of the government in the H.R. 676 proposal is limited to collecting revenues and disbursing payments to providers. Doctors, hospitals and clinics will continue to be run privately. I believe they will be required to operate as not-for-profit organizations.

In a single payer system, we could do just that. We will do just that. Revenues would flow into the system through an automatic payroll tax, very little paperwork required. Doctors would bill the government electronically and they would be reimbursed electronically, cutting out the middle man, and the savings would be tremendous.

Studies by the Congressional Budget Office, the Government Accountability Office and consultancies such as the Lewin Group consistently find that the savings under a single payer plan would be more than enough to cover all of the uninsured. So, in fact, it's possible to cover all Americans under a comprehensive health plan without spending any more money than we do now. We would just be more efficient with it.

The two other major drivers of health inflation are the increasing use of expensive prescription drugs and the proliferation of new and expensive medical technologies. A single payer system would address both these costs.

By leveraging the buying power of the Federal Government, we can negotiate huge discounts both for drugs and for other major drivers of health inflation such as medical technology. We can bring down the cost of medical technology by allocating it more efficiently. As it is, we have no organizing structure to manage the distribution of health care resources. The result is that we have a glut of medical imaging machines, specialists, and other medical services which are seen as generating the most potential profit for their owners; hospital A has one MRI machine, hospital B then feels it must have two MRI machines, and so on. To end up with MRI machines all over town standing vacant while we continue to spend enormous sums on acquiring more is unwise and impractical and should be ended.

Under a single payer system, we can distribute resources more efficiently so

that we are buying MRI machines based on the need for them, not based on how much profit they can generate for a particular hospital.

□1645

A regional board could determine, with the input of doctors and other providers, what number of machines would be appropriate for the population based on demographics and other factors.

Allow an explanation of how a single-payer system under H.R. 676 would work. Existing public health care spending, including government spending for Medicare and Medicaid, would continue, but it would flow into a single trust fund. We would add a payroll tax of about 3.3 percent each to workers and employers. In addition to the 1.45 percent Medicare tax, the total health care tax would be 4.75 percent. This is cheaper than what the private health insurance companies charge; so families and businesses will be spending less than what they are spending now if they have insurance.

We also get revenue from other sources like one quarter of 1 percent tax on certain stock and bond transactions. All these revenue sources add up to more than enough to cover current spending. But just in case there are additional expenses in a particular year, we also authorize an annual appropriation.

Revenue flows from the Federal trust fund into the accounts of the currently existing Medicare regions. Reimbursement is then negotiated with doctors and other providers at the regional level, with current levels being the starting point. Doctors are paid on a fee-for-service basis, while hospitals and other large institutions are paid with monthly lump sums known as global budgets based on current expenditures. Global budgets are cost-control mechanisms that are very effective in other single-payer systems.

Every American would receive a national health insurance card at birth or would be able to apply for one at the post office or other government facility. The application form is limited to 2 pages. Everyone living in the United States would be eligible. All medical necessary services would be covered, including inpatient and outpatient care, mental health care, dental care, and prescription drugs. Patients can go to the doctor or health care provider of their choice.

Private insurance companies are prohibited from duplicating the coverage provided under the plan. They may still offer coverage for nonmedically necessary services, such as cosmetic surgery. They are not prohibited from being hired by the government to do billing services, but overhead costs would be strictly regulated.

This plan relies on the existing Medicare infrastructure for administration. There is no ''new government bureaucracy.'' In fact, there will be far less bureaucracy in health care after the role of the insurance companies has been limited.

Just to let you know, there are nationally recognized health economists and physicians who believe that if we spent more efficiently the money we are already currently spending on health care, then we would cover every American with quality and affordable health insurance right now through a privately delivered, public financed, single-payer system.

Mr. Speaker, I thank you for your cooperation.

Ms. LEE. Mr. Speaker, I rise today in support of Cover the Uninsured Week, to highlight the deplorable fact that over 47 million Americans—including 9 million children, lack health insurance in our country.

Mr. Speaker, I strongly believe that health care is a basic human right. Yet far too many people have no access to even the most basic health services. Contrary to popular belief, 8 out of 10 Americans who lack health insurance come from working families who just can't afford the high cost. Minority communities also disproportionately suffer from a lack of health coverage. More than one-third of the Hispanic population in our country and more than one-quarter of Native Americans live without health insurance. Nearly 22 percent of African Americans and 20 percent of Asian Americans also lack health insurance. These statistics are just plain shameful.

What's worse is that because these individuals lack health coverage they are more likely to wait to seek treatment until they are really sick, which in turn further drives up health care costs and creates a vicious cycle of uninsurance.

Mr. Speaker, the sad truth is that over the last 8 years of this administration, the number of uninsured Americans has been steadily rising. Instead of supporting proposals to expand access to health care, however, this administration has continually supported policies that have driven more people into poverty, placing affordable health care even further out of reach.

Perhaps the clearest example is this President's veto of the SCHIP bill and his refusal to provide health coverage to 10 million children. That is just unconscionable.

As the only industrialized nation in the world that does not guarantee health care for all our people, I believe we must move toward a system of universal health coverage. That is why I have introduced H.R. 3000, the Josephine Butler United States Health Service Act, to make the United States Health Service its own independent executive branch and establish an Office of the Inspector General for Health Services.

My bill would require the Health Service to ensure that everyone has the right and the ability to access the highest quality health care available regardless of cost. Mr. Speaker, providing universal health care is the right thing to do and it is consistent with our values as a nation and the goals of Cover the Uninsured Week.

Mr. WEXLER. Mr. Speaker, I rise to acknowledge ''Cover the Uninsured Week.'' We must recognize the tragic reality that 47 million Americans, including 9 million children, are uninsured in America. In my home State of Florida, the figures are even more striking, with 20 percent of Floridians lacking health insurance. Millions of hard-working Americans with full-time jobs lack affordable health care options.

For example, a woman in my district, Florianne, has worked as a housekeeper for a local hospital for 3 years and is uninsured. She cannot afford to pay for health insurance for her children despite having a full-time job. In 2004, when Florianne worked directly for the hospital, she received health benefits. Today, the hospital subcontracts its housekeeping operations, causing her to lose her health insurance. With rent, food, gas, and utilities eating up her $692 biweekly paycheck, there is not a dollar to spare for her son's glasses or basic checkups, let alone a $768 monthly premium.

I wish Florianne's predicament was unique. All across Palm Beach County, the State of Florida and throughout the United States, children like Florianne's miss doctor's appointments, forego needed prescriptions, and are denied adequate health care. Their parents work hard but still cannot afford health care for their families. This is totally unacceptable in the wealthiest nation on Earth.

In Congress, I have sponsored legislation to fund insurance for millions of children across the country, introduced legislation to make Medicare more affordable for seniors, and voted to increase funding for community health centers willing to treat uninsured individuals. I am also a sponsor of the U.S. National Health Insurance Act (H.R. 676), which would reform our health care system and provide health insurance for every man, woman, and child. Unfortunately, many of these proposals have been shot down by the Bush administration.

''Cover the Uninsured Week'' reminds us all that America desperately needs leadership in the White House and in Congress to work together to achieve the affordable health care that all Americans deserve.

GENERAL LEAVE

Mr. CONYERS. Mr. 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 the subject of my Special Order.

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

There was no objection.

PEAK OIL

The SPEAKER pro tempore. 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. Mr. Speaker, I came early to our office yesterday morning, and I opened the door and took the newspapers inside and put them out on the reading table. And as I took them out, seven of them, four newspapers and three of the kind of inside-the-beltway papers, I noted the lead story above the fold. In the Sun there were two stories: ''Demand Eats Supply, swiftly rising food prices are undoing progress in fighting hunger globally''; and another above the fold headline: ''Energy Bill Aid Payouts on Rise.'' Then I picked up the Washington Times and noticed an above the

fold headline, ''Bush Lays Gas Blame on Congress.'' And then I picked up the Washington Post, a major headline above the fold: ''Syphoning Off Corn to Fuel Our Cars.'' And then the Wall Street Journal, the biggest headline above the fold, with a graphic and picture above it: ''Grain Companies' Profit Soar As Global Food Crisis Mounts.''

And then I took the three inside-the-beltway newspapers to put them on the reading table, and I looked at the headlines there, on the front page: ''Gas Prices Fuel Effort to Jam GOP.'' ''Alexander Eyes Energy Agenda.'' The first of those was Politico; the second was Roll Call. And the third, The Hill: ''Politics at the Pump.''

So, Mr. Speaker, the seven papers that our office gets, every one of them yesterday had as their leading story above the fold something about energy prices and food prices, which, of course, are related.

Also appearing today, and I wanted to make sure that we didn't miss this New York Times column by Thomas Friedman, a very well-known author and commentator, which describes America's energy problems as the ''predictable consequences of an energy strategy that would be exacerbated by the most popular proposed changes to maximize demand, minimize supply, and buy the rest from the people who hate us most.'' In a little bit, I will read some other excerpts from this very interesting op ed piece by Thomas Friedman.

I have here a little book which came across my desk, signed by one of the authors to Representative ROSCOE BARTLETT: ''You are a political voice in the dark. Please continue trying to shed light on this critical issue.'' And the critical issue he's talking about is explained in the title of his book, ''A Very Unpleasant Truth . . . Peak Oil Production and Its Global Consequences.'' And I turned to the little page that talked about who the authors are, about the authors: W.D. Lyle, Jr. holds a Ph.D. in engineering from Purdue University. L. Scott Allen holds a Ph.D. in physics from SMU. Both are retired scientists from the Exploration and Producing Technical Center of a large international oil company. They have been awarded over 40 patents and coauthored or authored more than 50 technical papers with contributions appearing in a variety of journals such as Science, Geophysics, Nuclear Science and Engineering, and the Journal of Petroleum Technology. Both authors, it says, live in the Dallas area. So those are obviously well-respected authorities in their fields.

And I turned to chapter 6: ''What About Alternative Energy Sources and What Should We Do Now?'' And it begins by saying, ''What must we do now to prepare for and respond to the inevitable and impending energy crisis?''

And, Mr. Speaker, the seven papers that I just referred to and the headlines on all of them about energy and food would indicate that maybe, just maybe, we're on the cusp of this crisis.

And then he says, ''The first and most important thing that needs to be done is to educate and convince the public that a problem even exists.''

Long before I got this book, more than 3 years before I got this book, I thought also that that was the most important thing that needed to be done. And so, Mr. Speaker, I think this is the 43rd time I have come to the floor to spend an hour talking about the challenge. Really it was to explain to the American people the challenge that we face, to educate and convince the public that a problem even exists. Well, I think these seven headlines indicate that at least the editors of those papers thought that a problem existed because they were all talking about the high price of energy and its consequences on food prices.

But education is not the only thing that I have been doing. I have been personally involved in at least four activities, which I think will help to advance America on the path that we need to be treading. I'm sponsoring, in conjunction with the SMART Organization, a Smart Green Showcase on July 18 of this year in Frederick, Maryland, that will offer smart energy solutions for homeowners and small business owners. There is a lot of information out there. There's a lot of new technology that just isn't widely known. Practical ways you can use less energy, save money, and help our country transition to domestic, cleaner, and renewable energy sources. The conference will provide educational and networking opportunities for homeowners and representatives of large and small businesses, academic and nonprofit organizations.

This Smart Green Showcase has its own Web site, and I would encourage you to go to that Web site, *www.smartgreenconference.com*, for a fuller explanation of what will be shown at this Smart Green Showcase.

In the next few days, I will submit a bill that is a companion bill to a Senate bill, S. 2821, that was introduced in the Senate on the 3rd day of last month by Senator MARIA CANTWELL and Senator JOHN ENSIGN, and almost half of the Senators have already signed onto this bill.

□ 1700

I have a brief summary of the bill, and because what it does is so important to where I think we need to be going, I am going to take just a moment to read this brief summary. This Clean Energy Tax Stimulus Act of 2008 amends the Internal Revenue Code to extend certain tax incentives for energy production and conservation. It extends through 2009 the tax credit for production of electricity from renewable sources. For example, biomass, geothermal energy, landfill gas, and trash combustion.

It includes marine and hydrokinetic renewable energy as a resource eligible for such credit. It allows sales of electricity produced from renewable resources to regulated public utilities. This one is really very important to encourage everybody, even every homeowner, to produce electricity. If they are not using it, sell it back to the power company.

It extends the Energy Investment Tax Credit for solar energy through 2016 for fuel cell and microturbine property through 2017. It repeals the dollar per kilowatt limitation for fuel cell property under the Energy Investment Tax Credit. It allows public electric utilities to qualify for such credit.

It extends through 2009 the tax credit for residential energy-efficient property expenditures. It repeals the 2000 limitation on the tax credit for solar electric property. It allows an offset against the alternative minimum tax of tax credit amounts. It extends through 2009 the tax credit for investment in clean, renewable energy bonds, increases the national limitation amount for such bonds.

It extends through 2009 deferral provisions relating to the recognition of gain by certain electric utilities, and extends to 2009 the tax credit for nonbusiness energy property. It includes residential biomass fuel stoves, that is pellet stoves, as eligible energy property for purposes of such credit.

It extends through 2010 the tax credit for energy-efficient new homes. It extends through 2009 the tax deduction for energy-efficient commercial buildings, and increases the allowable amount of such deductions. Finally, it extends the tax credit for energy-efficient appliances, to include appliances produced in 2008, 2009, and 2010, and it revises and updates energy efficiency standards for such appliances in accordance with the Energy Independence and Security Act of 2007.

As shown on the first chart here, I also have a Self-Powered Farm Energy Bill, H.R. 80. This is really a very significant approach to addressing our energy problems because we are going to have to turn more and more to our farmers for energy and products that are produced by energy, that in the future will have to be produced with less energy. This bill would support Federal research, development, demonstration, and commercial application activities to enable the development of self-powered farms that are net producers of both food and energy. They should be capable of independence from offsite sources of energy. A farm standing all alone.

Mr. Speaker, if our farms can't be energy independent, we really, really have a huge challenge for the future. I think this is very doable, and this bill will offer awards, rewards to those who do that. Offsite sources of energy, fuel and raw materials for fuel. A community resource for food and energy or raw materials for fuel would minimize or eliminate ongoing operating expenditures to offsite entities for fossil fuel-derived energy, employ sustainable farming practices for long-term soil fertility. We mustn't forget that what

we do to make our farms energy independent and to get energy from our farms, that we must be really concerned about sustainability. It would be easy for a few years to mine the soil, that is take out of the soil more than you're putting back. But if it is not sustainable, it will not be useful for the long term.

Employ sustainable farming practices for long-term soil fertility and produces at least two times as much energy, including fuel or raw materials, or fuel, as it consumes both onsite and in the transfer of farm products to market.

The next chart shows an additional bill, H.R. 670, that I have introduced, American Energy for America's Future, the bipartisan DRIVE Act, Dependence Reduction through Innovation in Vehicles and Energy Act. What this does is to encourage transition from depending so much on liquid fuels from oil for transportation and move to electricity for transportation.

And the reason for this, Mr. Speaker, is pretty obvious, if you stop to think about it. We use two kinds of energy largely in our lives today; electricity for many, many things, but not much for transportation. Most of our transportation comes from fossil fuels, from oil, and some gas. You see city buses advertising that they are running on clean natural gas.

We have lots of opportunities to produce more electricity. We can do more solar. France produces 75, 80 percent of their electricity from solar. We have enormous opportunities to grow wind and solar. They are now growing at something like 30 percent a year. That is incredible growth rate. But they started very small. So even with that big growth rate, they are still producing a very minimal amount of energy to the grand mix of energy.

We can get a lot more energy in those parts of our country where you're close enough to the molten core of the Earth to get true geothermal energy. You go to Iceland, I have been there, and I did not see a single chimney in Iceland. They may have one. I didn't see it. They get essentially all of their energy there from geothermal energy. That is tapping the molten core of the Earth, which will heat water, and you can do lots and lots of things with it, and hot water.

Then, of course we have lots of opportunities for microhydro, without the kind of impact on the environment that our macro hydro has had with these huge dams and we try to compensate with fish ladders and so forth, compensate for the damage we have done to the environment with fish ladders and so forth so the fish who are spawning can get around to them. So we have lots of opportunities for producing electricity.

Our options for producing more liquid fuels are far more limited. So this is a very important bill. We are going to be talking for the rest of our few moments together today about these opportunities for producing more liquid fuels. You will see that they really are limited. We really do have a challenge there.

So to the extent that we can move transportation dependency from oil to electricity, we will have done a great deal to minimize our dependence on oil and free ourselves from dependence on oil, as the President appropriately said in his State of the Union Message, from people who don't even like us.

I wanted to just spend a couple of moments reading some additional comments from Thomas Friedman's article. I don't read this because I necessarily agree with everything he says, but I read it because I think that it's very important, as this little book said, that the American people understand the seriousness of the challenge that faces us.

So let me read a few more excerpts from his article that appeared today in the New York Times. The title of his little op-ed piece is called: Dumb as We Wanna Be. ''Here's what's scary: Our problem is so much worse than you think. We have no energy strategy. If you are going to use tax policy to shape energy strategy, then you want to raise taxes on the things that you want to discourage, gasoline consumption and gas-guzzling cars, and you want to lower taxes on the things you want to encourage, new renewable energy technologies. We are doing, he says, ''just the opposite.''

''The McCain-Clinton gas holiday proposal is a perfect example of what energy expert Peter Schwartz of Global Business Network describes as the true American energy policy today.'' Then I quote again, ''Maximize demand, minimize supply, and buy the rest from the people who hate us the most.''

Then additional excerpts from the article go on to say, ''This is not an energy policy. This is money laundering. We borrow money from China and ship it to Saudi Arabia and take a little cut for ourselves as it goes through our gas tanks. No, no, no. We'll just get the money by taxing Big Oil. Even if you could do that,'' he says, ''what a terrible way to spend precious tax dollars.

''For almost a year now, Congress has been bickering over whether and how to renew the investment tax credit to stimulate investment in solar energy and the production of tax credit to encourage investment in wind energy. The Democrats wanted the wind and solar credits to be paid for by taking away tax credits from the oil industry. President Bush said he would veto that. Neither side would back down. Stalemate.''

You know, as I said, I read this not because I necessarily agree with everything he says, but I read it because it is a very important voice that is saying what I have been trying to say for more than 3 years now, Hey, we face a problem. We have really got to do something about that problem.

The next chart, this is a little cartoon which I think tells the story that many people don't believe. Just why is gas so expensive, over $3.50 a gallon now? Just why is gas so expensive? The cartoon says it with just two words, a tiny little supply and a huge big demand.

Now there are many people who believe that gas is very expensive at the pump because the major oil companies are gouging us. Many people think that gas is high at the pump because the oil from which we refine it is very expensive because the Arab world is holding back and not producing as much oil as they could produce, or somehow gouging us.

The reality is that neither one of these commonly believed reasons for our high gas prices are probably true. There may be a little gouging here and there by stations and so forth. The price of oil is not determined by our big oil companies, ExxonMobil and Shell and Royal Dutch. The price of oil is determined, as this cartoon indicates, by how much there is and how much we would like to use.

The Arabs don't determine the price of oil. They can affect the price of oil. If they could produce more oil, they could drive down the price of oil by increasing the supply so it would be more consistent with the demand, and that would reduce the price of oil. There is increasing evidence that they could not do this. That is they could not increase their supply.

Russia, a couple of weeks ago, announced that they had peaked in oil production. That they could no longer increase their production. Just last week, Saudi Arabia indicated that they had reached a maximum oil production. They have the granddaddy of all oil fields, the Ghawar, a huge field, producing 5 million barrels a day. They want to bring online a new field. I read a lot about the technicality of that field. It's very interesting, what they have done. This is the field that has a lot of potential oil in it. Khurais, I think. It's hard for me to pronounce words with k-h.

□ 1715

They have hired Halliburton to drill a large number of wells, and what they plan to do, what they hope to do, is to flood that field where the oil will not flow. If you drill down in that field, you will not get any oil, although there is a great deal there, and they hope to make this oil flow by pumping water in at the periphery of the field under considerable pressure.

But this is a very delicate operation, because if they pump at too high a pressure and too large a volume and the water overflows the oil, it could seal off the little interstices through which the oil would flow and it might kill the field, so there would be no oil from the field. But hopefully they won't do this. They are very good at this technology. And if they are able to develop this field, they will get, they hope, 1.2 million barrels a day. This, they hope, will make up for the oil that

they are not getting as the present fields they are pumping tail off. They have reached a maximum production of oil.

The next chart is a chart whose history begins in 1956 with a talk which I think will go down as the most famous speech given in the last century by M. King Hubbert to a group of oil engineers and business people at San Antonio, Texas, in 1956, 52 years ago, on the 8th day of March. This was 1956. Here we are, 1956 right here.

He told them that in 1970, this point here. This part of this chart was not available. All they had was this, rapidly increasing oil production. We were the largest producer of oil in the world, the largest consumer of oil in the world, and I think the largest exporter of oil in the world. He said in 14 years, in 1970, the United States will reach its maximum oil production. Shell Oil Company asked him, please don't give that talk. You will make us look silly and make you look silly. He gave the talk, and for a long while was an object of derision. Then, right on schedule, in 1970 we reached our maximum oil production.

Now, they didn't know that in 1970. You only know you have reached a maximum when you look back and see, gee, we were pumping more oil then than we are now. But this was clearly, clearly known by 1980, because you can see by 1980 here we are well down the other side of Hubbert's Peak.

There are a couple of things in this chart that he did not include in his analysis. He couldn't have known that we were going to get so much natural gas liquids, and he looked at only the lower 48. He didn't look at Alaska, and he didn't look at the Gulf of Mexico, where we have found huge amounts of oil.

I have been to Alaska, to Dead Horse, to Prudhoe Bay, and I have seen the very beginning of that 4-foot pipeline through which for a number of years now about one-fourth, about one-fourth of our total domestic production has been flowing.

Well, you can see that even when you add the oil which he did not include in his analysis, the oil that we got from the find in Alaska and from the Gulf of Mexico, that that was just a blip on the slide down the other side of Hubbert's Peak.

Now, we have done a number of things to try and reverse this, because we are not at all comfortable in this country having only 2 percent of the world's oil and using 25 percent of the world's oil. We have very good scientists and engineers, and we have used a lot of enhanced oil recovery. We have used discovery techniques, 3–D, seismic and computer modeling to go out and find more oil, and we have drilled more oil wells than all the rest of the world put together.

In spite of better discovery, of aggressive pumping of these fields with this enhanced oil recovery, in spite of drilling more oil wells than all the rest of the world put together, and in spite of finding oil in Alaska and the Gulf of Mexico, we today are producing about half as much oil as we produced in 1970.

I spent a few moments looking at this chart. I think it is very important to understand what M. King Hubbert predicted and what happened and the reality that no matter what we have done, we have not been able to reverse what he said would happen, and that was in 1970 we would reach our maximum oil production, and that after that, no matter what we did, oil production would fall off.

The next chart, if I can have the next chart, the next chart is a quote from one of four different reports that our government has paid for and not totally ignored, but largely ignored. They all say the same thing, by the way. This is from the first of those four reports done by SAIC, a very large, prestigious international engineering science organization. Dr. Robert Hirsch was the principal author of that, so it is frequently called the Hirsch Report. He says here on page 64, ''World oil peaking is going to happen.''

Now, the same person that predicted that we would peak in 1970, in 1979 predicted that the world would be peaking about now. I have asked myself a question so many times and asked the question to others, if M. King Hubbert was so right about the United States and if he predicted that the world would be peaking about now, wouldn't it have been appropriate to have a plan B, a plan B which recognized that that might happen, and, gee, you better have some contingency plans preparing for it? When I say ''we,'' I mean the world. That is not what we have done.

There is no indication, as evidenced by the behavior of any company or any country, that any of these entities have been doing anything to address the huge challenge that we would have if in fact the world followed the course that the United States so predictably followed, that the world would peak about now. ''World oil peaking is going to happen,'' this report said. ''World production of conventional oil will reach a maximum and decline thereafter. That maximum is called the peak. Oil peaking presents a unique challenge,'' this report says. ''The world has never faced a problem like this. There is no precedent in history to guide us,'' is what this report says. There is no lesson from the past that you can use to guide you as to what you need to be doing to get you through this challenge.

The next chart, this is a chart of data which is compiled by the two leading entities in the world that track the production and consumption of oil. Now, we store a little, very little, in our strategic reserves in this country and some other countries, but, by and large, all the oil we produce is consumed.

''Peak Oil: Are We There Yet?'' These two agencies are the IEA, the International Energy Agency, a part of the UN, and the EIA, the Energy Information Administration, a part of our own Department of Energy.

The IEA, the international one, says that for the last 18 months or so we have reached a plateau in oil production. As a matter of fact, just at the end of the line they have drawn through there up and down, because it is not a constant thing, up today and down tomorrow and so forth, it is actually tipping over just slightly. The EIA, the green line, shows that from their data we have been constant and actually a little lower now, but relatively constant in oil production for the last 3 years.

Now, if in fact the world's production of oil has been flat in the last 3 years, and these are the two best recognized entities in the world for tracking this, if in fact it has been flat for the last 3 years and demand has continued to go up, what would naturally happen to oil prices?

Well, oil prices were, what, when they started, $50-some dollars a barrel. Now, they are off the chart now, about $110 today. It has dropped off a little from the $120 of last week. I think that dropoff, Mr. Speaker, is because $120 oil is just plain too costly for a lot of the world and they haven't been able to use it. They just make do with less. So we have some higher reserves than we thought, and the speculators now are speculating that the price of oil will come down for the moment because of these reserves. Of course, $110 oil, the price is off the chart here.

M. King Hubbert predicted in 1979 that the world would be peaking about now. All four of these studies, the first one I mentioned, the SAIC study, the second one, the Corps of Engineers study, the third one, the Government Accountability study, and the fourth one, one done by the National Petroleum Council, and all four of those say essentially the same thing: Peaking of oil is inevitable, absolutely inevitable; that it is either present or imminent, with potentially devastating consequences.

Now, I say again, if M. King Hubbert was right about the United States, and we spent quite some little while looking at that chart, and in spite of everything that we have done, better oil discovery, aggressive pumping of the oil, enhanced oil recovery, and although we drill more wells than the rest of the world put together, M. King Hubbert 's prediction is still true. Today we are producing about half the oil we produced in 1970. He predicted that the world would be peaking in oil production about now. These four studies all said that peaking of oil is inevitable. They didn't know when it would occur.

These data from the EIA and the IEA would lead you to believe, unless this is just a little plateau and it will take off again, and the next chart we will look at, if we can have the next chart now, the next chart will tell us how likely it is that this is just a little plateau and then it is going to take off again.

If you had only one chart to look at, only one chart to use for informing yourself and talking about this subject, this would be the chart. This chart shows in the bars here going back as far as 1930 the discoveries of oil, and, boy, it was up and down. We found some big fields in some of these years, so we got some huge spikes. But notice the general trend of this. Since about 1970 it has been down, down, down, down, and that is in spite of evermore aggressive and better techniques for finding the oil.

Now, if this peak is just a plateau and is going to take off again, then you need to believe that one of two things is going to happen: Either we are going to find very quickly better ways of teasing out from the reserves we are now pumping more oil, or we are going to find more reserves of oil, more big reserves of oil.

□ 1730

The solid black line here indicates the oil that we have used. And the world was in a very happy position up until about 1980. Every year until 1980, we found more oil, sometimes a lot more oil, than we used that year. If you integrate under this curve, you will get the total volume of oil that we have used. So this area represents the volume of oil that we have used.

Now, ever since about 1980, of course, we have been finding less oil than we use, so now this area here has been filled in by reserves back here. They are still there. We know they are underground. We know we can pump them.

Now, how much more will we find in the future? Most of the experts believe that we have probably found, of conventional oil—we will talk in a few minutes about unconventional oil. Most experts believe that for conventional oil we have probably found 90 percent, 95 percent of all the oil we will find in the future. Those who made this chart suggest that future discoveries will follow a descending curve, ever less and less, as we go further and further into the future, because once you found some oil, then additional oil is more and more difficult to find. Now, this clearly won't be that smooth, it will be up and down, but they are suggesting it will follow a curve much like that.

Now, what will the future look like? What the future will look like will depend upon your perception of several things: How much more oil you think we will find; it will depend upon how aggressive you think we can be in pumping oil. But one thing is certain: You cannot pump oil you have not found.

Now, the way this chart is drawn, it doesn't go clear out until the end, of course; it goes out another 150 years. Every year, and this has been the experience in the United States, less and less oil, harder and harder to get. And now, with the world situation, not true in our country because nobody else made up the deficit for the oil we didn't pump; and so for a long while, even when our oil production was dropping off, oil was still $10 a barrel because other countries could produce it quickly and easily, and they did, so that made up for our shortfall. But that is not going to happen in the future because, as indicated by a prior chart, as indicated by all four of these studies, paid for by your government, delivered to your government, oil is going to peak.

And if the United States is a microcosm of the world, you would reasonably judge that, no matter how aggressive we become, and we have been really aggressive in our country, like drilling more oil wells than all the rest of the world put together, you still are not going to reverse that decline.

So what the future looks like, and you see the oil that you are using here above the amount of oil that you found is going to have to be filled in by reserves from here. You can use your eye and transfer these reserves there and see reasonably what that curve will look like.

The next chart presents a little schematic. Now, I will point out what is quite obvious: That this peak can be made very sharp if I compress the abscissa and expand that ordinate, that will become a very sharp curve. Here, I have spread it out so it is a very gradual curve. This is a 2 percent growth curve. That is about the rate at which the world has been increasing its use of oil. By the way, 2 percent growth doubles in 35 years; it is four times bigger in 70 years; it is eight times bigger in 105 years; it is 16 times bigger in 140 years.

This led Albert Einstein to answer a question asked by someone after we had discovered nuclear energy: What will be the next big energy force in the universe? And his response was: The most powerful force in the universe is the power of compound interest. And, of course, compound interest is compound growth.

This chart shows a 35-year growth period, the yellow. I think we are about here, and peaking is either present or imminent. And most people are looking at avoiding any problems in the future by filling the gap. If this is what you have available and this is what you would like to use, this yellow area represents the gap.

There are a lot of things out there that we can exploit to get some liquid fuels from. In their totality, most of the experts that are really seriously looking at this, in their totality, most people believe that it will be extremely difficult to produce as much liquid fuel as we now are using, let alone filling the gap. I will say that that will not bring us to any calamitous end. We have enormous opportunities for conservation and efficiency.

The other morning as I came into work, I noticed in one of the lanes in front of me a big SUV with one person in it. In the lane right next to them was a Prius with two people in it. Now, the Prius, I have one, we get about 48 miles per gallon. That is at least three times that SUV. Isn't it? So the Prius gets three times the miles per gallon of the SUV; and there were two people in it; so that means that miles per gallon per person was six times better in the Prius with two people in it than it was in the SUV with one person in it. And the Prius is a very comfortable vehicle, and riding with someone else makes the trip to work more enjoyable. So, we have lots and lots of opportunities to increase our efficiency.

The next chart is an interesting one, because there are a lot of people who believe that somehow we are going to find a huge amount of more oil out there. In a few moments we are going to talk about some of these potentials. And there may be a lot out there. But what I am saying is that we really need to have a plan B, because there is nothing that we have done in our country which has avoided the inevitable slide down the other side of Hubbert's Peak that M. King Hubbert predicted in 1956.

This is a chart again from Robert Hirsch, and he gets this from EIA, Energy Information Administration, and they are predicting here in this chart that we will find as much more oil as all the reserves we now know to be able to be pumped.

Most experts believe that the ultimate amount of oil, the total amount that we will pump in the world from the beginning to the end of the age of oil will be about 2 trillion barrels. Here it is 2.2. They are suggesting here that we will find another nearly 1 trillion, because this curve is based on what they call the main or expected value of 3 trillion barrels. Now, that means that they think we are going to find just about as much more oil as all the oil which we now have in reserves which can be pumped.

Now, even if that curve occurs—and this is because of that exponential growth. Even if this occurs, the peak is pushed out from here to 2016. The dotted line, by the way, and I don't know if it is even doable. The dotted line shows what would happen if you would have an aggressive, enhanced recovery and pump it more quickly. It pushes the peak out a little bit, and then you fall off a cliff after that.

This black curve, by the way, you will recognize from the big black curve on the oil chart, remember, with all the bars going up. This is the recession in the 1970s. If it weren't for that—the old saying, it is an ill wind that brings no good. And that ill wind of those Arab oil price spike hikes and the worldwide recession that followed that, that is this dip here, we actually were using less energy for a while, we really looked at our efficiency. And your air conditioner now is probably three times as efficient as it was then. Your freezer, the same thing. If we had not done that, look at this curve, look where it would be, off the chart.

There was a stunning statistic during the Carter years, and that was that

every decade we used as much oil as had been used in all of previous history. That is really different now. This slope you can see is very much less than this slope. So this was kind of a blessing in disguise, because it woke us up, and we now have a much lesser challenge than we would have had if we not had those oil price spikes and that little recession in the 1970s and this call to arms that resulted in a lot of equipment that is now a whole lot more efficient.

The next chart is a fairly recent statement by Shell Oil Company CEO van der Veer. By the year 2100, he says, the world's energy system will be radically different from today's. The world's current predicament limits our maneuvering room. We are experiencing a step change in the growth rate of energy demand. And Shell estimates that, after 2015, supplies of easy-to-access oil and gas will no longer keep up with demand. It may be a little sooner than that, as indicated by these curves from the IEA and the EIA. As a result, he says, society has no choice but to add other energy sources.

The next chart is one that kind of puts this in perspective. This looks at the industrial age.

By the way, there is a fascinating speech that was given. If M. King Hubbert's speech was the most important speech of the last century, I think the most insightful speech of the last century would be the speech given by the father of our nuclear submarine, Hyman Rickover, given 51 years ago the 14th day of this month to a group of physicians in St. Paul, Minnesota. If you do a Google search for ''Rickover'' and ''energy speech,'' it will pop up.

He noted then that we were about 100 years into the age of oil, which—and he uses just beautiful expressions, which he referred to as the golden age. And truly it has been a golden age. And he had no idea how long the age of oil will last; now we have a much better idea. But he made a very important statement. He said that, how long the age of oil lasted was important in only one regard: That the longer it lasted, the more time that we have to plan for an orderly transition to nonfossil fuels.

About 17 months ago, I was privileged to lead a codel of nine Members of Congress to China to talk about energy. Interestingly, they began their discussion of energy by talking about post-oil. Wow, I thought, these people think in terms of generations and centuries.

We are a great country, and a part of our affluence and our greatness is that we have a near-term focus, essential for our business, but I think it would be nice if we had a little longer term view, too. It is hard for our businesses to see beyond the next quarterly report; hard for elected officials to see beyond the next election. But they were talking about post-oil, and what they would be doing and what the world should be doing now and would be doing in a post-oil world.

Well, Hyman Rickover talked about 8,000 years of recorded history, and he said that the age of oil would be but a blip in the history of man. I only have here about 400 years of that 8,000 years; but if you went back to the rest of the 8,000 years, it would be flat because we use very little energy. Here is the industrial revolution beginning with wood; and then we have coal; and, boy, did it take off when we found gas and oil.

This is the same curve that you have seen before, by the way. This is the dip in the 1970s in the lesser slope now. Here, we have compressed abscissa and expanded the ordinate, so now we have a very sharp curb compared to the very gradual one we have been looking in the past.

If I superimposed on this a graph of population growth, it would explode from roughly ½ billion here, following this up almost exactly to the nearly 7 billion people we have in the world today.

This reality, as the next chart shows us, introduces us to a very challenging geopolitical reality. We have 2 percent of the world's reserves; we use 25 percent of the world's oil; we import almost ⅔ of what we use. We pump four times faster than the rest of the world. We produce, from our 2 percent, 8 percent of the world's oil production. So, we are pumping and our more wells than all the rest of the world put together are working. We are pumping down our reserves faster. We represent a bit less than 5 percent of the world's population, one person in 22, and we use ¼ of the world's energy.

The next chart speaks a little more to this geopolitical challenge that we face. If you look at the top ten owners of oil, that is the bar on the right here, it is mostly countries that own it: Saudi Aramco, National Iranian Oil, Iraqi National Oil, and so forth.

□ 1745

And Luke Oil which is kind of private in Russia has only 2 percent. These are the top ten.

If you now look at the top ten producers of oil, they are really big guys: ExxonMobil, Royal Dutch, BP. They produce only 22 percent of the oil. Most of the oil is produced by countries rather than companies.

The next chart speaks further to this geopolitical challenge that we face. This shows what China is doing around the world. The dollar signs indicate where we own some oil. You don't see very many of them here. This symbol indicates where China owns oil, a lot of it in Russia. Notice they have bought up oil all over the world.

The next chart speaks again to this geopolitical challenge that we have. This is what the world would look like if the size of the country was relative to the amount of oil they have. Very interesting. Saudi Arabia dominates the landscape. They should, they have 22 percent, more than a fifth of all of the oil in the world. Iraq, Kuwait, and you have to get a magnifying glass to see the United Arab Emirates on a map. Russia, not a giant compared to the others, but they are an aggressive pumper of oil. I think they are now the number two producer of oil in the world.

Venezuela, it dwarfs our part of the world. Bigger than everybody else in this part of the world, but notice we get most of our oil from Canada. Our third largest producer of oil is Mexico. Together they have about as much oil as we have. Canada doesn't have very many people, and they are too poor in Mexico to use the oil and so they can export the oil. But this speaks again to the geopolitical challenge that we face.

The last chart, I just wanted to look at the sources from which we are going to get liquid fuels. I have argued that because we face this huge challenge in the future, and because it is going to be very difficult to produce as rapidly as we would like to, the liquid fuels to replace what won't be there as we slide down the other side of the world, Hubbert's peak, that it would be nice to have in reserve a little bit of the oil we know that is out there which is why I have not been enthusiastic about drilling in ANWR or offshore or on our public lands.

Maybe it is because I have 10 kids and 16 grandkids and two great-grandkids. And I came to Congress because I was afraid that my kids and grandkids weren't going to live in the same kind of country that I grew up in. I thought we had too much government, it taxed too much, it regulated too much, and it spent way too much. I would just like for my kids and my grandkids and great-grandkids to have the same opportunity I have had, and energy is so important in our world. So I have been resistant to immediately drilling in ANWR and offshore and on our public lands because it is like money in the bank that is yielding huge interest rates. I don't think you ought to rush to the bank and pull it out and spend it. It will be even more valuable later.

We will get a little of this and a little of that. There is no magic bullet out there. I am sure everybody is familiar with what happened with corn ethanol. We are using so much corn for ethanol, it has raised the price of food around the world. Farmers have diverted land from wheat and soybeans to corn. Rice harvests are down. Costco, I understand, will sell you only one bag of rice now.

Mr. Speaker, let me close by saying I am kind of exhilarated by this. There is no exhilaration like meeting and overcoming a big challenge, and I think America is up to this. With leadership, I think we can once again become an exporting country. We have the technology and the know-how. We are the most innovative, creative society in the world. I think when America understands this challenge, they will be up to the challenge, and America will lead the world in moving from fossil fuels to renewables.

I think I will be here a week from today, and what I want to do at that time is spend most of the time talking about realistic expectations from all of these alternative sources of liquid fuels.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity to once again start our 30-Something hour. We will be joined later by Congressman MEEK from Florida to talk about the issues of the day and how what has been happening here in Congress affects what is going on to young people, but not limited to just young people in the 30-something bracket, but also to young people in college, young people in their 20s, young people trying to figure out how they are going to make their way in the American economy in the 21st century.

As we know, Mr. Speaker, we have been given many challenges over the past few years here in Congress dealing with many of the issues that face Americans.

Since Speaker PELOSI took over a short time ago, we have been committed, since this Congress was taken over by the Democratic Party, we have been committed to push initiatives that are consistent with the values that we hold dear in the United States of America. We hear a lot of rhetoric about values in this country, but if the policy initiatives that come out of this beautiful building in Washington, DC do not reflect our values, then we are in the wrong business.

And I am proud to say that since we have taken over here, we have shifted course from policies that many Americans believe have taken us in the wrong direction. And many of us still believe, even those of us here think we have made a shift in policy, but it has been difficult with the President to try to get a complete pivot out of the months and months and months and years and years and years of bad policy.

So I think it is important before we talk a little bit about what we have done is to go back and think about what we are trying to come out of, some of the challenges that this country faces. I think it is important to recognize politically that from 2000 until 2006, the Republican Party controlled the House, controlled the Senate, and controlled the White House. They had an opportunity to implement their policy—the neoconservative foreign policy, the conservative domestic policy, the conservative energy policy, the conservative higher-ed policy in America, the conservative ''compassionate conservative'' agenda on poverty and inequality—has all been implemented.

So when we talk about what will it look like if the conservative agenda is implemented, I think that is a false analysis of what will it look like. I think we know. I think what we are living with here today is the implementation of the conservative Republican agenda. They controlled the House, they controlled the Senate and the White House. The Bush tax policy, the Bush energy policy, all of these things that I have already mentioned have been implemented.

And if you want to know what it looks like, all you really need to do is go to the gas tank. You need to get your health care bill and see what your premium and the costs look like. You need to pull out the stub of your child's tuition. All of these things are the end result of the Republican domestic agenda being implemented here in the United States of America. You may not like it. I know a lot of Republicans, Mr. Speaker, who don't like it, but that is where we are.

And if you look at the financial situation that this country has been put in, the straightjacket that we have been put in that a lot of the changes that the Democratic Congress wants to make that we are at this point unable to make because of the financial position that we have been put in as a country and as a Nation, the fact of the matter is this: President Bush, Mr. Speaker, and the Republican Congresses that were under his watch borrowed more money from foreign interests than every President and Congress before President Bush combined.

Now think about that. In just those few years, President Bush and the Republican Congress borrowed more money from foreign interests than every President and Congress before them combined. The Republican-controlled Congress and President Bush raised the debt limit five times and borrowed $3 trillion primarily from Japan, China, and OPEC countries.

Now you want to talk about a scam going on and a shell game, we have a situation where we are borrowing money from oil-producing countries to basically give us money to go out and buy their oil, or to borrow money from oil-producing countries and from China so we can fund a war at $12 billion a month and put it on the credit card. Now that seems to me the definition of insanity, Mr. Speaker. Three trillion dollars, and this is as simple as your house payment or your car payment. You borrow money and you have to pay interest on it.

So countries like China will get the interest that the United States is paying on the money that we have borrowed, and the Chinese will take that money and they will sink it into developing and industrializing their own economy. And they are putting up nuclear plants so they have nuclear energy. And they are building roads, bridges and industrial parks. And they are funding their military and their navy. That is what they are doing with money that the United States is borrowing from them. And we take the money and we get ourselves into this war in Iraq at $12 billion a month, that is soon approaching a trillion dollars for the cost of the war, and some economists are saying at the end of the war, the grand total will be $3 trillion.

Now from Youngstown, Ohio, and Niles, Ohio, and Akron, Ohio, the folks that I represent are not really comfortable with the United States taking their tax dollars and paying interest on money they are borrowing from the Chinese so that the Chinese can build manufacturing facilities and manipulate their currency and ship the products back to the United States and put American workers out of work.

□ 1800

Now, there's something ironic about what's happening there. And there's really something sick, Mr. Speaker, about what's happening here. And when you look at the polls and you hear people say that 70 percent of Americans think that we're going in the wrong direction, the President has an approval rating of 28 percent, and the other 72 percent do not approve of the job that he is doing, you have to ask yourself, what is wrong? What is wrong? What is going on to have this dramatic breach in the American body politic?

And so, when Speaker PELOSI, and when we ran our elections in 2006 to come and take over Congress in 2007, it became imperative for us to try to pivot and shift this thing in another direction. So one of the issues is make sure that we pay for programs that we have here in the United States. No deficit spending.

Now, we've had problems, especially with the war, because we're committed over there. And it's been very difficult. We've tried to get out.

The President has vetoed every attempt we've ever tried to make. But we're trying to establish public policy in the United States of America that represent our values.

And if you look at what we have pushed coming out of this body, I think most Americans would agree, these are some pretty basic steps that we want to take. First thing we did when we got in is raise the minimum wage. For the first time since 1997, the American worker got a pay raise. It wasn't much. It should be a lot more. But we did what we could. And we said, this is a priority for us. 10 years without an increase in the minimum wage, but health care and energy and all of these other costs are going up for folks. Let's try to lift some people up, reward work. And we did that.

We have switched and tried to repeal the oil subsidies, corporate welfare, many of us know it as corporate welfare. Everyone hates welfare if we're giving it to poor people. They should go to work. They should work. This is America. We should not give welfare. That's the rhetoric that you hear.

But behind the scenes, our friends on the other side and President Bush are

very happy to give the oil companies 14 or $15 billion in oil subsidies, in energy subsidies.

Now, can you imagine, and today when you go to the gas pump and you pay $3.50, $3.75, $4 for a gallon of gas. You think you're frosted just filling up the tank. Think about the fact that President Bush said that he will veto any bill that comes out of this House that repeals the $15 billion that's going in corporate welfare to the oil companies.

Now, can you imagine, in this day and age, where Exxon's profits are through the roof, that the President of the United States says he will veto a bill that strips the corporate welfare out?

They're making tremendous profits. And what we have tried to do on the Democratic side, and Speaker PELOSI has tried to do, is to take that 14 or $15 billion away from the oil companies, away from the energy companies, and invest that money into alternative energy research; into wind, into biomass, into solar.

Now, we all know that these alternative energy forms, there's not one silver bullet. There's not one project or product that's going to come out and save us all and be a panacea for the entire United States of America and the world. We know that.

But Americans invent things. Americans make things better. Americans take a challenge and a problem and they fix it, and they solve it. They put the best and the brightest people that we have in this country, and they set a goal.

I'm not going to go do the research. President Bush certainly isn't going to go do the research. We've got a couple of rocket scientists that belong in this body that have been elected by their constituents here that may be able to actually do some of the research. But, for the most part, our job here is to set the public policy and provide the resources and the leadership for the country. And that's what we're trying to do is to say, invest into the Department of Energy, partner with energy companies.

We know you're not going to get rid of oil overnight. Many of us believe nuclear has a major role in what's going to happen here. But the bottom line is, let's make an investment into the United States, into the people, into the human resources that we have here to figure out what we're going to do, and then get the private sector and private enterprise to partner with us to get this thing kicked off.

It is crucial for us to reduce our dependency on foreign oil, crucial because we can extract ourselves from a lot of these political situations that we find ourselves in. In a lot of the global politics that we see and read, if you read between the lines and you think for yourself, you will see that there is some kind of energy component behind this, behind the politics that are going on, the geopolitics that are going on. And if we can become dependent on the Midwest instead of the Mideast, I think this country will remove itself from a lot of the problems that we have had, and we could help move this country forward. And that's what we are committed to doing here in the United States.

And just today, or yesterday, out of the Education Committee, GEORGE MILLER, who's the Chair of the committee, they passed an authorization, I think, of $6 billion, if I remember correctly, to help schools, new schools. There'll be a formula to make sure that the school is green. So now, you're providing some leadership for the companies that will provide the products for a school or a building to become green. There'll be a little bit of a stimulation.

And I want to tell one quick story that I found interesting. We have a gentleman here in Congress, his name is JIM OBERSTAR, and he's the Chair of the Transportation Committee. He's been here since the late 1970s.

And I may miss a few of the facts here, but the point can be made that in the late 1970s, when he was a Member of Congress, and President Carter was in, he was trying to—the solar panel, there was some money put into the Department of Energy to research and develop alternative energy sources. And something popped out of that, it was called the solar panel.

And Mr. OBERSTAR had a piece of legislation that said we need to retrofit all Federal office buildings in the United States with solar panels. And by the Federal Government coming in and buying the solar panels, it will stimulate the solar panel market because the Federal Government is such a big consumer, and just like buying pens and everything else, and it will drive the cost down of the solar panels. So that was in 1977, 1978.

In 1980, when President Reagan came in, he completely eliminated that part of the Department of Energy that was providing that research and, basically, nothing happened. And he has now went from a rank and file member; Mr. OBERSTAR is now the Chair of the Transportation and Infrastructure Committee. So he now has this bill that he reintroduced, told his staff to go back and get his notes from 30 years ago about what he wanted to do with solar panels.

Now, can you imagine how far behind the 8-ball we are? When you look at production of solar panels, it used to be an industry that the United States excelled in and that we had a great share of the solar panel market in the early 1990s. But now, we have been surpassed because we have not made the investments.

And I'm not here, Mr. Speaker, Mr. MEEK, to say that government somehow has all the answers. But we do have a role to play in stimulating the economy, Mr. MEEK. And when we do that, we will allow the private sector to come in.

So we need to do what we need to do with alternative energy research. We need to do what we need to do with high speed rail. We need to do what we need to do with broadband access. These are the things that government has a role in, infrastructure, education, health care. These are the things that we need to invest in. And that's what we've been trying to do in the area of health care.

One of the things that, I mean, you can't really find a better example or illustration of a difference in values from Speaker PELOSI and President Bush on this one issue. It's the issue of state, the State Children's Health Insurance Program. When we came in, one of Speaker PELOSI's priorities was to provide leadership and resources for the State Children's Health Insurance Program.

This is a program that would provide health care, Mr. MEEK, for 10 million children of modest income, didn't quite qualify for Medicaid, middle class kids, middle class families struggling to provide health care. This was to fill that gap. Bipartisan support here in the House, and in the Senate, tremendous support.

So it passed the House, passed the Senate, President Bush vetoed it. Now, can you imagine where your priorities are when you're willing to spend $12 billion a month in Iraq, and you won't sign a children's health care bill to provide health care for middle class citizens at $35 billion over 5 years?

But you'll spend 12 billion a month in Iraq and not even ask a question as to where the money's going. There's billions of dollars that are lost in Iraq, nobody knows where they are, Mr. Speaker. Nobody knows where that money is.

And we struggle to find $35 billion to provide health care for modest income families. That investment that, at the end of the day, will probably save us billions of dollars because these kids won't go right to the emergency room. They'll have some preventative care. That will save us money in the long run. And the President vetoed it. And he vetoed it.

And in the Senate, 80 Senators overrode the veto. But in the House, we could not override the veto because a handful of Republicans on the other side were committed to support the President in his position.

Now, can you imagine that? In the wealthiest country in the world, the dominant super power, we can't scrape up $35 billion over 5 years to provide health care for middle class kids?

And the President thinks he's taken a stand on this issue and saying he's fiscally responsible, after running up $3 trillion in debt, borrowing it from Japan and China and OPEC countries?

When you're deciding on where your philosophies are, what your values are, this is the issue. This is the defining issue. Health care for kids, $12 billion a month in Iraq. Tax cuts for people who make billions of dollars a year, health care for kids?

This is clear. And our job, as representatives of the people, Mr. MEEK, and I'll kick it to you here in a second, is to make sure that we bring some equity into this system.

And I will say this. The investments that we have made, or tried to make on SCHIP, the minimum wage, alternative energy, the fact that we did pass, and the President did sign a $1,000 increase in Pell Grants over 5 years, for students, and we cut the student loan interest rate in half, from 6.8 percent to 3.4 percent. So if you are going out trying to borrow for your kids, your interest rate is cut in half.

Those are the priorities that we push every day here on this House floor. Those are the priorities that are going to lead to an expansion of our economy.

We only have 300 million people in this country, Mr. MEEK. There's 1.2 or 1.3 billion in China, 1.2 or 1.3 billion in India. We only have 300 million. And the philosophy of our party is to make sure that we invest into those 300 million people, to make sure they're educated and they're healthy. And I feel like if we make sure our kids are educated and healthy, that most everything else will take care of itself.

□ 1815

That's where we are. That's the agenda we're pushing.

Mr. MEEK, I appreciate the fact that you're taking time away from your busy schedule and family to come down here, and I would like to yield to my very good friend from Florida.

Mr. MEEK of Florida. Well, Mr. RYAN, I want to thank you for sharing not only thoughts about the Members, but also reminding them of the work that has been done and work that needs to be done here on this house floor.

I can tell you, Mr. RYAN, that it's very frustrating at times to hear and see some of the finger pointing that goes on not only here under the Capitol dome, but here in Washington, D.C. The work that this 110th Congress has done overshadows the work of the 109th Congress as it relates to accomplishing things on behalf of the American people. And I am very concerned about the fact that Members seem to get a little amnesia on how we got to where we are now.

Last week, I had a chart on the floor here. I don't know what happened to it. I'm not accusing anybody of anything. But I was driving the point home of the colleagues on the other side about gas prices and writing the Speaker a letter saying, What are you going to do? You promised a year ago that you would do something about it. What are you going to do? What are the Democrats going to do? The Republican leadership wrote, We stand firm to be with you as it relates to doing something about energy prices or gas prices.

And it's interesting because these are the individuals who, especially on the Republican side, were a part of supporting and standing up the 2001 plan and the meeting that took place in the White House with Mr. CHENEY and a number of energy companies, which I think was one of the most profitable meetings for the oil industry because they have just hand-over-fist made money since that meeting. And even today I think it was projected or it was announced that it's another record-breaking quarter for oil companies while Americans pay through the nose and small businesses pay through the nose for fuel.

I couldn't help but be on I–75 in Florida on my way back to Miami from St. Petersburg about 3 weeks ago and stopped at a Pilot gas station. And I was driving my uncle's truck, and the guy asked for my ID and credit card and all of those things. And I said, Goodness. I had to give my ID. I was paying with cash. I said, This is interesting. I am paying with cash and I have to show you my ID.

He said, Well, sir, we have had an uptick in truckers in filling up and pulling out without paying. I said, Wow. That's interesting. I mean with all of the tags and identifying markers identifying the company or the private-owned companies. And he said, I can tell you something—of course, he saw me and didn't think that I was anything like a congressman or anything—but he said, Times are hard out there. I mean, these guys, they can't afford to fill up their truck and make a profit and be able to support their family. Not justifying it, but he said, The higher gas goes, the more protection that soon we're going to have to have someone out there getting tags or doing some sort of check to make sure that they actually put in the amount that they paid for.

Saying all of that, that's the reason why, during the self-service days: Pay first, then pump.

I'm saying all of that to make the point that times are hard out there. We know. Bread is $3 a loaf. We know this. The fact that rice, even if you go to Costco now you can't buy a 50-pound bag of rice. I mean, it's like being rationed, in a way. And just the price of food all over the world has really exploded.

Saying all of that, Mr. RYAN, I think that when we start looking at our work here in Congress, now more than ever, Members, we have to hold first the American people and their will, we have to hold that as our number one priority.

Now, let me just mention just a few things, Mr. RYAN, because I'm not going to try to get excited on this issue today because if I do, I may miss something. And I don't want to miss anything because the points have to be made.

And I think it's important, Mr. RYAN, as we look at this, and Members, Mr. Speaker, that when we look at the work that has been done in this Congress this week, sending four key bills to the President for his signature, and we really don't have a lot of time to wait and see if he's going to do something because when you look at it, you have to look at the highway bill, the bill that allows competition for important highway and transit projects outlined in the 2005 highway bill which will help promote 40,000 new good-paying American jobs in transportation and construction. I think it's important that people understand that this bill will help stimulate the economy versus slow it down. It's important that the President signs this.

When you look at the other pieces of legislation that have passed, these are bills that are key bills, ensuring continuing access to student loans, the Student Loan Act. This is a critical bill that provides students and families with continued uninterrupted access to Federal guaranteed student loans. We're talking about not only this generation but the next generation and working families being able to afford higher education.

Traumatic Brain Injury Act of 2008. It comes down to many of our men and women that are in uniform over in Iraq and Afghanistan with explosions that take place and the fact that many of them are affected by the blasts that take place with these IEDs. They will join some 5.3 million Americans that are affected here at home by the same thing. And the Congress has passed this to provide the kind of funding that's needed so they can get the treatment that they deserve. We look forward to the President signing it.

But as we look at issues such as energy and fuel, I think it's important that we talk about some of the things, Mr. RYAN and Mr. Speaker, and I know you mentioned something about this whole gas thing because this is hitting home for many of us.

The Speaker, last week, called on the President to suspend the purchase of oil for the Strategic Petroleum Reserve temporarily. When you look at this issue, you have to look at it from the standpoint of bringing gas down. What the Speaker has asked for would actually bring the gas prices down to 5 to 24 cents a gallon. This is a critical first step, Mr. Speaker, towards bringing gas prices down so the American people can hopefully afford to put gas in their tanks and small businesses.

I met with some independent franchise owners of KFC and Taco Bell establishments, and they were talking about the cost of food and ingredients. One gentleman told us about the fact that his sales are down because American people cannot afford to go into, what you may call these restaurants where you can get a meal under $10, they can't afford to do it as often as they have done it before. Hopefully, the checks and the stimulus package will be able to assist. Not only we're not talking about going out and buying a meal but to be able to provide for their families will help stimulate this economy to help drive down the cost of food and the costs that many small businesses need to survive.

Now, I think it's also important, Members, that we look at it from another standpoint, a standpoint of what farmers are having to look at.

We had a hearing here on Capitol Hill today that talked about food versus fuel, and the price of food costs, how are we going to bring a balance between biofuels and how we're going to feed the American people in the world through our crops that are here. And that's going to be an interesting discussion, especially as we start looking at shifting from the Middle East and investing in Middle Eastern countries as it relates to energy versus the midwest. And we talked about that, Mr. RYAN and I talked about that a lot the previous two Congresses.

But when we started looking at legislation and ideas that will give American people relief now, I think it's important that we look at the letter that the Speaker sent regarding the Strategic Oil Reserve that will bring the price of gas down 5 to 24 cents.

I think it's also important to look at measures that we have passed here in Congress and that many of our friends on the other side of the aisle seem to be standing up in the middle, which we call the ''policy door,'' not allowing us to be able to send good pieces of legislation to the President without the President knowing that he has enough Republicans on this floor to withstand an override.

Now, there were four bills, and I'm going to turn it back over to you, Mr. RYAN, which was an OPEC bill that we passed that was dealing with—well, a NOPEC bill was dealing with not allowing OPEC oil companies to be able to price gouge Americans, and it allowed the Justice Department to carry out even more enforcement efforts against these, what we call, cartels.

Price gouging, also renewable energy and the Energy Security Act, a number of our Republican colleagues on the other side, as you can see this piece of paper here, voted ''no.'' And I think it's important, especially amongst the leadership, it's important that we no longer have that kind of activity going on when the American people are looking for some relief and looking for some enforcement.

Something is not right. Something is not clean in the milk. Something doesn't smell right when it comes down to why gas continues to go up and up and up.

And it's amazing. There's an uproar about gas, and then it will go down for a minute, then it will be back up some 20 to 15 cents a gallon on top of what it used to cost.

So I think, Mr. Speaker and Members, we need to pay very close attention to what is happening on this energy issue but also pay attention to what is getting done. And we're doing a lot here. We've seen a lot.

We've sent a lot of good legislation to the President. We hope the President will sign the legislation versus vetoing to make a point that is pointless when it comes down to the forward progress of the American people.

Mr. RYAN of Ohio. When you look at what the Speaker has been asking the President to do now for weeks, possibly months, to suspend filling the Strategic Petroleum Reserve, we have this reserve in the United States that a certain amount of barrels of oil go in a day. And this is to make sure that in case of a crisis, we have oil for national defense purposes and so forth. This is oil that's going in every day.

The Speaker, based on the history and what the experts and the economists are telling us, is that if you divert that oil that's going in to the petroleum reserve and you allow that oil to be purchased on the market, that it will drive down the cost of oil.

□ 1830

And this will lead to a savings at the pump of about 25 cents per gallon because there will be an increase in the supply of oil in the market and it will drive the cost down.

Now, we're not sitting here saying that this is the magic wand we're going to waive and everything's going to be fine. But what we are saying is, when you implement this and you take some of the pressure off, you can save almost $6 a barrel and 25 cents at the pump. So if you are a truck driver, Mr. MEEK, 25 cents, when you're putting 20 or 30 gallons in, adds up when you're spending your life driving. And throwing the kids in the back of the mini van or filling up the truck and going back and forth, this is a significant savings. And the Speaker has been pressing the President to make this move and put this oil back into the market, Mr. MEEK, but hasn't had any success at all.

I yield to my friend.

Mr. MEEK of Florida. Mr. RYAN, I agree with everything you just said, outside of throwing the kids in the back of the mini van; us parents, we don't do that.

But let me just say real quickly that we look at common sense and we look at the needs of the American people. They want to know what's happening. Every time they look at that gas price board that's in front of the gas station they're thinking about, who's running the government? They're thinking about, who's overseeing this? Who's in a magic room somewhere pushing up these gas prices? And I think it's important that we understand that it's bigger than a debate, that this is really dealing with folks having to park their car. This is dealing with folks who are going through some real hard times. And we have to make sure that we stand up for them.

Now, the President may wait a little while and say, well, I'm not going to do what the Speaker asked to do, suspending filling the Strategic Reserve, I'm not going to do it. Maybe he may do it now, I don't know. The first quarter report has come out on the oil revenues. Maybe that may happen, I don't know. I'm not saying that that's the motivation, I'm just saying that the American people need some relief and they need it now. And hopefully they will be able to get it sooner than later because we're having folks, from rising food costs, rising energy costs, finding themselves in a situation where they can't even afford to drive to work or to get their children to school.

Also, Mr. RYAN, as I spoke before about our friends on the other side of the aisle, our Republican leadership, we definitely want them to work with us as it relates to driving these energy costs down and then going after the individuals that may have something to do with jacking up the price on the American people. Last week, I talked about the fact that a gallon of gas in Iraq costs, I believe it was between $1.30 and $1.55. Here in the United States, it costs a lot more. And we all know what those costs are, people are reminded every day when they have to go to the pump. I have constituents that are putting something on it every day. When I say ''putting something on it,'' they can't afford to fill their whole tank up. They're putting in $5, $6, whatever the case may be, and just getting less than a gallon and a half of gas because that's all they can afford. And especially for those individuals that have stepped over their budget, taking the credit card out, filling it up with a credit card. That soon adds up because it's not within their budget to pay the $24 or the $50 they have to pay on these credit cards.

But I go back to say that fuel in Iraq is a lot cheaper than it is here in the United States. And the U.S. military is spending in the neighborhood of $3 and change in filling a gallon of gas in the same country. So when we start looking out how we're helping Iraq and how Iraq is assisting and appreciating our help, we also have to look at the difference and the disparity in the cost of gas between what our troops and civilian personnel have to pay for a gallon of gas there and what everyday Iraqis pay.

So when we look at it from the big picture, Mr. RYAN, we have to look at it from the executive branch level. And I think it's important that the President looks at all of this and takes it all into consideration. But we do need some action.

We talk about a commonsense approach—I said it earlier, I'll say it again—on the No Oil Producing and Exploiting Cartels Act, I think it's important that we see the passage of H.R. 2264 that has passed this House. And the Republican leadership has voted against. When you look at the Energy Price Gouging Act, you have to look at it for what it's worth. And this legislation will reduce the burden of rising gas prices on American families by providing immediate relief to consumers by giving the Federal Trade Commission authority to investigate and punish those who artificially inflate gas prices. I mean, I want that, I want it

bad to be honest with you, because I think it's important that if we have these commissions and we have those enforcement agencies, give them what they need.

Right now, as far as I'm concerned, the Federal Trade Commission is like a police officer in a high-crime area without a weapon. And I can tell you, there will be no real enforcement there if they don't have the tools that they need to be able to enforce the law when it comes down to it.

Renewable Energy and Energy Conservation Act of 2008, H.R. 5351, very important piece of legislation. The bill has ended unnecessary subsidies to oil companies in which we're investing in clean and renewable energy. And I think it's important that Americans understand, and also, Mr. RYAN, that every Member of Congress understand, that none of the legislation that I've mentioned thus far would have seen the light of day if it wasn't for the 110th Congress and it wasn't for Democrats allowing it to come to the floor.

Mr. RYAN of Ohio. Absolutely. And I think you've made some great points, Mr. MEEK.

I just would like to say that, if you listen to some of our friends on the other side talk about gas prices, here is a party, Mr. Speaker, and an administration for 6 years—and the President and the Vice President being oil men—not doing a thing on energy, dependence on foreign oil, so on and so forth, to somehow accuse the Democrats of not addressing the issue, and completely oblivious to the fact that we're the ones passing legislation to crack down on price gouging, Mr. MEEK. We're the ones that are passing legislation to hold OPEC accountable for price fixing. It's the Democratic Party that's repealing the subsidies to Big Oil so that we can take that money and invest it into alternative energy sources. It's Speaker PELOSI that's calling on the President to take the barrels of oil that are going into the Strategic Petroleum Reserve and put those in the market to drive down gas by a quarter, that's something easy we can do. But it is the President and the Republican Congress, Mr. Speaker, that have consistently vetoed these bills or put the kibosh on them in the Senate, blocking lower prices every step of the way.

And if you look at what we have done here, pushed by the Speaker, to have fuel efficiency standards being raised for cars and trucks, we will reduce oil consumption by 1.1 million barrels per day in 2020. This is forward-looking. This is something that will save consumers between $700 and $1,000 at the pump in 2020. Now, we know that's not addressing the issues today. We're talking about the Strategic Petroleum Reserve. We're talking about cracking down on OPEC. We're talking about cracking down on price gouging that may be going on in the United States and our local communities. These are the short-term issues. And each one has been opposed by the Republicans and has been opposed by the President of the United States.

So when you ask the folks at home, Mr. Speaker, what the Congress has done, the answers are here. And if anybody wants to know what they are, they can go to the Speaker's Web site. Trying to stop price gouging at the pump, price manipulation from OPEC, divert the oil that's going into the Strategic Petroleum Reserve, that's what we're trying to do here. Repeal the subsidies for Big Oil and put that money and invest it in alternative research. Mr. Speaker, these are the policies of the Democratic Congress. And each one of those has been opposed by the Republican Party and opposed by the President of the United States, period, dot, Mr. MEEK; period, dot.

So let there be no mistake, when common sense tells you we have a couple of oil barons running the executive branch, Mr. Speaker, and the Democrats are trying to push these initiatives to provide some relief for the common good and the common folks that we represent and it's opposed by the Republicans and opposed by this administration, it's important for us to set this record straight, Mr. MEEK.

So as we begin to wrap up here, Mr. MEEK, I would like to yield to you.

Mr. MEEK of Florida. Well, Mr. RYAN, I look forward to next week. I look forward to the hearings that will take place under the Dome. Again, democracy will reign. We will be able to continue to move in this new direction that the American people want us to move in.

Mr. RYAN of Ohio. What's wrong with that?

Mr. MEEK of Florida. Nothing wrong with that at all.

And I also believe, Mr. RYAN, that through the hard work of not only the staff here that provide us with not only the information that we use to fight on behalf of the American people, but also when we go back to our districts, what we hear from our constituents, we give them voice, we are them. We are representatives of the various parts of the country that we're from, and it's important that we bring that level of frustration here.

Speaking of small business men and women, they own a pick-up truck or an SUV, we hear from them, Congressman, it cost me $105 to fill my truck up. And they're still trying to sell their products for the same price, just a little bit more. Everything is going up, up, up, and they're getting priced out. And I think it's important, even from my neck of the woods in Florida, where you have bagel shops, some of them have gone so high up on bagels because of the cost and folks can't afford them.

So when you look at it, this is a major, major issue and every American is being touched by it, especially for those middle class families and for those individuals that are what we call our working poor. And so, Mr. RYAN, every day we come to the floor I think it's important we give light to that.

I also want to give the numbers on Iraq, as I always do. As of today, May 1, in Iraq, the total deaths are 4,064. The total number wounded in action and returned to duty, 16,567. And total number wounded in action not returning to duty is 13,344. Mr. RYAN, you know, every time I come to the floor I like to read that into the RECORD so that Members will understand our responsibility of trying to bring the super majority of our men and women home.

One last point, Mr. RYAN. I think that when we look at this issue called public service, and I'm speaking to all of the Members, we have to look at it from the standpoint that we're only here for a short period of time. Less than 11,000 Americans have actually had an opportunity to serve in this U.S. Congress. And every day Members should take the responsibility to treat it as though it is their last day to serve and not put something off for another day or another week or another month, because there are people out there that are counting on us and depending on us, as it relates to bringing about health care to their children, bringing down these fuel costs and energy costs, and also making sure that we're able to stimulate this economy in the right way.

So with that, I would yield back to Mr. RYAN.

Mr. RYAN of Ohio. Well, I appreciate that. And you brought up those who are serving here. And I think it's worth noting that the veterans measure, another initiative that the Democrats have tried to push for a new G.I. Bill, for free college for our vets, opposed by Defense Secretary Gates, opposed by the administration. This is an opportunity for us to thank those men and women who are serving our country to say, when you get out, you're going to have free college tuition anywhere in the country. And I think that's a small gesture.

□ 1845

And once again, I think the President and our friends on the other side are out of step with what the American people think we should be doing. It's one thing to wave the flag, and it's another thing to put your money where your mouth is.

So, Mr. MEEK, I want to thank you for the opportunity to join you here on this beautiful Thursday evening in Washington, D.C., and I look forward to coming down here with you next week and continuing to make the case for the programs that Speaker PELOSI and Majority Leader HOYER and Mr. CLYBURN and RAHM EMANUEL and JOHN LARSON are pushing in our caucus. These are the issues that we care about and we're going to continue to push.

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 Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. SKELTON, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1760. An act to amend the Public Health Service Act with respect to the Healthy Start Initiative; to the Committee on Energy and Commerce.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 2954. To amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until Monday, May 5, 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:

6360. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-359, ''Electronic Mail Public Record Clarification Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

6361. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-359, ''Electronic Mail Public Record Clarification Amendment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

6362. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-360, ''Compliance Unit Establishment Act of 2008,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

6363. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Participants' Choices of TSP Funds — received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6364. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — HUMAN RESOURCES MANAGEMENT IN AGENCIES (RIN: 3206-AJ92) received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6365. A letter from the Assistant Secretary —— Fish, Wildlife & Parks, Department of the Interior, transmitting the Department's final rule — Public Access, Use, and Recreation Regulations for the Upper Mississippi River National Wildlife and Fish Refuge (RIN: 1018-AV43) received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6366. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XG86) received April 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6367. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel by Vessels in the Amendment 80 Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XH07) received April 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6368. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XH13) received April 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6369. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XG59) received April 7, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6370. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife; Sea Turtle Conservation [Docket No. 071030628-8482-02] (RIN: 0648-AV84) received April 25, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

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. FRANK of Massachusetts: Committee on Financial Services. H.R. 5579. A bill to remove an impediment to troubled debt restructuring on the part of holders of residential mortgage loans, and for other purposes; with an amendment (Rept. 110–615). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 5818. A bill to authorize the Secretary of Housing and Urban Development to make loans to States to acquire foreclosed housing and to make grants to States for related costs; with an amendment (Rept. 110–616). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Omitted from the Record of April 30, 2008]

H.R. 135. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than May 22, 2008.

[Submitted May 1, 2008]

H.R. 948. Referral to the Committee on Ways and Means extended for a period ending not later than June 6, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOWNS (for himself, Mr. KING of New York, Mr. FRANK of Massachusetts, Ms. WATERS, and Ms. VELÁZQUEZ):

H.R. 5937. A bill to facilitate the preservation of certain affordable housing dwelling units; to the Committee on Financial Services.

By Mr. CONYERS (for himself, Mr. SMITH of Texas, Mr. SCOTT of Virginia, and Mr. GOHMERT):

H.R. 5938. A bill to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes; to the Committee on the Judiciary.

By Mr. CARSON:

H.R. 5939. A bill to amend title 38, United States Code, to extend the time limitation for the use of entitlement to educational assistance under the Montgomery GI Bill for certain persons actively pursuing a qualifying educational degree or certificate; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. GORDON (for himself, Mr. HALL of Texas, Mr. BAIRD, Mr. EHLERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SENSENBRENNER, Mr. UDALL of Colorado, Mr. SMITH of Texas, Mr. WU, Mr. BARTLETT of Maryland, Mr. MILLER of North Carolina, Mr. LUCAS, Mr. LIPINSKI, Mrs. BIGGERT, Ms. GIFFORDS, Mr. AKIN, Ms. HOOLEY, Mr. NEUGEBAUER, Mr. ROTHMAN, Mr. INGLIS of South Carolina, Mr. WILSON of Ohio, Mr. MCCAUL of Texas, Mr. MARIO DIAZ-BALART of Florida, Mr. GINGREY, and Mr. BILBRAY):

H.R. 5940. A bill to authorize activities for support of nanotechnology research and development, and for other purposes; to the Committee on Science and Technology.

By Mr. FOSTER:

H.R. 5941. A bill to amend title 10, United States Code, to authorize taxpayers to designate a portion of their income tax payments to a National Military Family Relief Fund to be used by the Secretary of Defense

to assist the families of members of the Armed Forces who are serving in, or have served in, Iraq or Afghanistan; to the Committee on Ways and Means, and in addition to the Committee on Armed Services, 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. TOWNS (for himself, Mr. BURGESS, Mr. WAXMAN, and Mrs. BLACKBURN):

H.R. 5942. A bill to ensure the continued and future availability of lifesaving trauma health care in the United States and to prevent further trauma center closures and downgrades by assisting trauma centers with uncompensated care costs, core mission services, emergency needs, and information technology; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 5943. A bill to authorize the Secretary of Energy to establish monetary prizes for achievements in designing and proposing nuclear energy used fuel alternatives; to the Committee on Science and Technology.

By Mr. PUTNAM (for himself, Mr. WILSON of South Carolina, Mrs. DRAKE, Mr. KLINE of Minnesota, and Mr. ENGLISH of Pennsylvania):

H.R. 5944. A bill to amend titles 10 and 38, United States Code, to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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 Mrs. CAPITO:

H.R. 5945. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the Washington Family Legacy Lands of Jefferson County, West Virginia, as part of Harpers Ferry National Historical Park or designating the lands as a separate unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. ELLISON (for himself, Ms. MCCOLLUM of Minnesota, Mr. WALZ of Minnesota, Mr. OBERSTAR, Mr. CUMMINGS, Mr. FILNER, Mr. JEFFERSON, Mr. WATT, Ms. WATSON, Ms. WOOLSEY, Mr. MCDERMOTT, Mr. MEEK of Florida, Mr. PRICE of North Carolina, Ms. BALDWIN, and Mr. KAGEN):

H.R. 5946. A bill to amend the Help America Vote Act of 2002 to require States to provide for election day registration; to the Committee on House Administration.

By Mr. KING of New York (for himself, Mrs. MCCARTHY of New York, Mr. FOSSELLA, Mr. REYNOLDS, and Mr. KUHL of New York):

H.R. 5947. A bill to amend title 38, United States Code, to establish a returning soldiers' bill of rights; to the Committee on Veterans' Affairs.

By Mr. LAMPSON:

H.R. 5948. A bill to amend section 274 of the Immigration and Nationality Act to increase penalties for unlawfully bringing in and harboring aliens with prior felony convictions under Federal law; to the Committee on the Judiciary.

By Mr. LATOURETTE (for himself and Mrs. MILLER of Michigan):

H.R. 5949. A bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel; to the Committee on Transportation and Infrastructure.

By Ms. ZOE LOFGREN of California:

H.R. 5950. A bill to require the Secretary of Homeland Security to establish procedures for the timely and effective delivery of medical and mental health care to all immigration detainees in custody, and for other purposes; to the Committee on the Judiciary.

By Ms. MATSUI:

H.R. 5951. A bill to implement a safe and complete streets program; to the Committee on Transportation and Infrastructure.

By Ms. SCHWARTZ:

H.R. 5952. A bill to amend the Internal Revenue Code of 1986 to authorize tax credit bonds for capital improvements for police and fire departments; to the Committee on Ways and Means, 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 Mr. SMITH of Washington (for himself, Mr. DICKS, Mr. MCDERMOTT, Mr. INSLEE, Mr. BAIRD, and Mr. LARSEN of Washington):

H.R. 5953. A bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in rural areas; 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. THOMPSON of California (for himself and Mr. REHBERG):

H.R. 5954. A bill to amend title 38, United States Code, to provide veterans for presumptions of service connection for purposes of benefits under laws administered by Secretary of Veterans Affairs for diseases associated with service in the Armed Forces and exposure to biological, chemical, or other toxic agents as part of Project 112, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. WALBERG (for himself, Mr. FRANKS of Arizona, Mr. FEENEY, Mr. KLINE of Minnesota, Mr. TIAHRT, Mr. CHABOT, and Mr. BARTLETT of Maryland):

H.R. 5955. A bill to provide for comprehensive health reform; to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, the Judiciary, and Ways and Means, 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. WEINER:

H.R. 5956. 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 Energy and Commerce, and in addition to the Committee on Agriculture, 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. BUTTERFIELD:

H. Con. Res. 339. Concurrent resolution expressing the sense of Congress regarding the necessity to improve public awareness in the United States among older individuals and their families and caregivers about the impending Digital Television Transition through the establishment of a Federal interagency taskforce between the Federal Communications Commission, the Administration on Aging, the National Telecommunications and Information Administration, and the outside advice of appropriate members of the aging network and industry groups; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California:

H. Con. Res. 340. Concurrent resolution to make technical corrections in the enrollment of the bill H. R. 493; considered and agreed to.

By Mr. BOUSTANY:

H. Res. 1168. A resolution congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes; to the Committee on Education and Labor.

By Mr. LEWIS of Georgia (for himself, Mr. TOWNS, Mr. MEEK of Florida, Mrs. MALONEY of New York, Mr. HINCHEY, Ms. LEE, Ms. JACKSON-LEE of Texas, Mr. ELLISON, Mr. HONDA, Mrs. CHRISTENSEN, Mr. RANGEL, Ms. SUTTON, Mr. PAYNE, Mr. COHEN, Mr. JACKSON of Illinois, Mr. CONYERS, Ms. BORDALLO, Mr. KUCINICH, Mr. JEFFERSON, Mr. MICHAUD, Ms. KILPATRICK, Mr. BUTTERFIELD, Mr. DAVIS of Alabama, Mr. WYNN, Mr. HASTINGS of Florida, Mr. FATTAH, Ms. WATSON, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. MILLER of North Carolina, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. RUSH, Mr. BACA, Mr. CLYBURN, Ms. ZOE LOFGREN of California, Ms. SCHAKOWSKY, Mr. WATT, and Mr. JOHNSON of Georgia):

H. Res. 1169. A resolution expressing the sense of the House of Representatives that the United States should become an international human rights leader by ratifying and implementing certain core international conventions; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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. EHLERS:

H. Res. 1170. A resolution commending Indiana Secretary of State Todd Rokita for his leadership and dedication to protecting the integrity of the election process and increasing voter confidence in all of our elections; to the Committee on House Administration.

By Mr. KING of Iowa (for himself and Ms. HERSETH SANDLIN):

H. Res. 1171. A resolution congratulating the on-premises sign industry for its contributions to the success of small businesses on the occasion of its 62nd Annual International Sign Expo; to the Committee on Energy and Commerce.

By Mrs. MCCARTHY of New York (for herself, Mr. HASTINGS of Florida, Ms. JACKSON-LEE of Texas, Mr. KING of New York, Mr. HINCHEY, Ms. SUTTON, Mr. ISRAEL, Mr. BISHOP of New York, and Mr. MICHAUD):

H. Res. 1172. A resolution recognizing and honoring the Firefighter Cancer Support Network; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

260. The SPEAKER presented a memorial of the House of Representatives of the State

of Rhode Island, relative to House Resolution No. 8049 urging the Congress of the United States to appoint an independent counsel to investigate the prisoner of war-missing in action issue; to the Committee on Armed Services.

261. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 24 memorializing the Congress of the United States to enact legislation requiring annual publication of a list disclosing companies planning or currently in the practice of outsourcing U.S. jobs to other countries; to the Committee on Education and Labor.

262. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 7 urging the Congress of the United States to take action to help stop children and employees from accessing Internet pornography and to request that legislation be enacted to facilitate a technology-based solution that allows parents and employers to subscribe to Internet access services that exclude adult content; to the Committee on Energy and Commerce.

263. Also, a memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 6 urging the Congress of the United States and the Department of Health and Human Services to allow resident advocate groups in Idaho and industry representatives to negotiate on how to improve the survey process in skilled nursing facilities in Idaho; to the Committee on Energy and Commerce.

264. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 38 memorializing the Congress of the United States to take such actions as are necessary to call a convention for the purpose of proposing an amendment to the United States Constitution to include the Posse Comitatus Act as a consitutional prohibition; to the Committee on the Judiciary.

265. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 165 memorializing the Congress of the United States to reverse cuts to the Edward Byrne Memorial Justice Assistance Grant Program; to the Committee on the Judiciary.

266. Also, a memorial of the Senate of the State of Rhode Island, relative to Senate Resolution No. 2899 urging the Congress of the United States to appoint an independent counsel to investigate the prisoner of war-missing in action issue; to the Committee on the Judiciary.

267. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 39 memorializing the Congress of the United States and Louisiana's congressional delegation to take such action as are necessary to provide the state of Louisiana with one-hundred-year flood protection; to the Committee on Transportation and Infrastructure.

268. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 22 memorializing the Congress of the United States and Louisiana's congressional delegation to take such actions as are necessary to ensure that sufficient funds are appropriated to provide a one hundred percent federal share of the costs necessary to construct one-hundred-year flood protection for southeast Louisiana; to the Committee on Transportation and Infrastructure.

269. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 13 requesting the Government of the United States establish a funding program to defray the safety equipment and engineering costs incurred by local communities to establish ''quiet zones'' along light rail lines operating on railroad freight tracks; to the Committee on Transportation and Infrastructure.

270. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 1009 urging the Congress of the United States and the Department of Energy to make any changes necessary to reverse the decision that resulted in the dismantling and abandonment of FutureGen; to the Committee on Science and Technology.

271. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 23 urging the Congress of the United States ensure adequate funding for veterans' health care and to express gratitude to veterans for sacrifices made while serving in the United States Armed Forces; to the Committee on Veterans' Affairs.

272. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 11 memorializing the Congress of the United States and the Commissioner of the Internal Revenue Service to take action to provide that refundable credits received by Louisiana homeowners to offset Louisiana Citizens Property Insurance Assessments on their homeowner's insurance premiums because of the unprecedented damage and destruction of homes in the recent hurricanes shall not be considered as income for federal tax purposes; to the Committee on Ways and Means.

273. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 25 urging the Congress of the United States to support the Korea-United States Free Trade Agreement; to the Committee on Ways and Means.

274. Also, a memorial of the House of Representatives of the State of Alaska, relative to House Resolution No. 7 urging the Congress of the United States to support, work to pass, and vote for the immediate and permanent repeal of the federal estate tax; to the Committee on Ways and Means.

275. Also, a memorial of the Legislature of the State of Mississippi, relative to Senate Concurrent Resolution No. 556 urging the President of the United States and the Congress of the United States to support passage of the Secure Rural Schools and Community Self-Determination Act; jointly to the Committees on Agriculture and Natural Resources.

276. Also, a memorial of the Legislature of the State of New York, relative to a Legislative Resolution urging the New York State Congressional delegation oppose S. 40/H.R. 3200; jointly to the Committees on Financial Services and the Judiciary.

277. Also, a memorial of the House of Representatives of the State of Mississippi, relative to House Resolution No. 66 urging the Federal Government to withdraw water from the Gulf of Mexico for the Strategic Petroleum Reserve; jointly to the Committees on Energy and Commerce and Natural Resources.

278. Also, a memorial of the House of Representatives of the Commonwealth of Puerto Rico, relative to a Resolution expressing the most forceful and firmest repudiation of the House of Representatives of Puerto Rico to the highly discriminatory expressions of Congresswoman Virginia ''Ginny'' Brown-Waite from the 5th District of Florida regarding the inclusion of the U.S. Citizens residing in Puerto Rico in the bill for economic stimulus that is presently being considered by the United States Congress; jointly to the Committees on Ways and Means and Financial Services.

279. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 306 memorializing the Congress of the United States to pass and the President of the United States to sign the Foreclosure Prevention Act of 2008; jointly to the Committees on Ways and Means, Financial Services, and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. PLATTS.
H.R. 154: Mr. CARSON.
H.R. 405: Mr. CARSON.
H.R. 506: Mr. CARSON.
H.R. 583: Mr. MURTHA.
H.R. 686: Mr. CARSON.
H.R. 724: Mr. BROUN of Georgia.
H.R. 748: Mr. MCGOVERN, Mr. CARSON, Mr. JEFFERSON, Mr. PASCRELL, Mrs. CAPITO, and Mr. BERMAN.
H.R. 895: Mr. KNOLLENBERG.
H.R. 948: Mr. CARSON.
H.R. 971: Mr. SOUDER.
H.R. 1000: Mr. SKELTON, Mr. STUPAK, Mr. CRAMER, Mr. MARSHALL, Mr. MCNULTY, and Mr. HOYER.
H.R. 1014: Mr. CARSON and Mr. LEWIS of Georgia.
H.R. 1023: Mr. SARBANES, Mr. MILLER of North Carolina, Mr. ROSS, Mr. ELLSWORTH, and Mr. JOHNSON of Illinois.
H.R. 1032: Mr. GUTIERREZ.
H.R. 1063: Mr. WHITFIELD of Kentucky and Mr. EVERETT.
H.R. 1072: Mr. CARSON.
H.R. 1076: Mr. ELLSWORTH.
H.R. 1078: Mr. CARSON.
H.R. 1103: Mr. ANDREWS.
H.R. 1108: Mr. CARSON.
H.R. 1172: Mr. WOLF.
H.R. 1185: Ms. WASSERMAN SCHULTZ, Mr. CANTOR, and Mr. LEWIS of Georgia.
H.R. 1192: Mr. CARSON and Mr. KLEIN of Florida.
H.R. 1232: Mr. SHAYS.
H.R. 1238: Mr. CARSON.
H.R. 1282: Mr. CARSON.
H.R. 1343: Mr. CARSON.
H.R. 1346: Mr. CARSON.
H.R. 1419: Mr. ELLSWORTH and Ms. BALDWIN.
H.R. 1422: Ms. GIFFORDS.
H.R. 1428: Mr. ALLEN.
H.R. 1431: Mr. RANGEL, Mr. TERRY, Mr. CARSON, and Mrs. MYRICK.
H.R. 1439: Mr. KAGEN.
H.R. 1440: Mr. CARNEY.
H.R. 1475: Mr. UDALL of Colorado and Mr. BISHOP of New York.
H.R. 1501: Mr. CARSON.
H.R. 1532: Mr. CARSON.
H.R. 1552: Mr. CARSON.
H.R. 1553: Mr. PETRI and Mr. CARSON.
H.R. 1560: Mr. YARMUTH and Mr. CARSON.
H.R. 1576: Ms. BALDWIN and Mr. CARSON.
H.R. 1584: Mrs. MYRICK.
H.R. 1586: Mr. TIM MURPHY of Pennsylvania.
H.R. 1589: Mr. SHAYS, Mr. ALTMIRE, Mr. POE, and Mr. BARTLETT of Maryland.
H.R. 1610: Mr. LAMPSON, Mr. KAGEN, Mr. RODRIGUEZ, and Ms. FALLIN.
H.R. 1621: Mr. CARNEY, Mr. PORTER, Mr. OLVER, Mr. CARSON, Ms. CLARKE, Mr. SESTAK, Mr. TIAHRT, and Ms. VELÁZQUEZ.
H.R. 1629: Mr. BOUSTANY.
H.R. 1643: Mr. MILLER of North Carolina.
H.R. 1647: Mr. CARSON, Mr. JACKSON of Illinois, Mr. LUCAS, Mr. BOUSTANY, and Mrs. MILLER of Michigan.
H.R. 1655: Mr. CARSON and Ms. SUTTON.
H.R. 1671: Mr. CARSON and Mr. ENGLISH of Pennsylvania.
H.R. 1688: Mr. NADLER.

H.R. 1742: Ms. BALDWIN.
H.R. 1783: Mr. KIND and Mr. NADLER.
H.R. 1871: Mr. CARSON.
H.R. 1881: Mr. CARSON, Mr. HINCHEY, and Ms. KAPTUR.
H.R. 1953: Mr. JEFFERSON, Mr. MICHAUD, Mr. BOUCHER, Ms. RICHARDSON, and Mr. GRIJALVA.
H.R. 1968: Mr. CARSON.
H.R. 2012: Mr. SALI.
H.R. 2020: Mr. PUTNAM.
H.R. 2032: Mr. NADLER and Mr. PAYNE.
H.R. 2116: Mr. ROSS Mr. ELLSWORTH, Mr. ALTMIRE, and Mrs. MYRICK.
H.R. 2131: Mr. SHAYS.
H.R. 2138: Mr. DOOLITTLE.
H.R. 2188: Ms. LINDA T. SÁNCHEZ of California, and Mr. WILSON of Ohio.
H.R. 2210: Mr. CARSON and Ms. BERKLEY.
H.R. 2236: Mr. COHEN and Ms. KAPTUR.
H.R. 2268: Mr. KELLER, Ms. BORDALLO, Mr. HALL of Texas, Mr. WALSH of New York, Mr. LAMPSON, Mr. HARE, Ms. SUTTON, Mr. BURTON of Indiana, Mr. AKIN, Ms. BERKLEY, Mr. JOHNSON of Illinois, Mr. WITTMAN of Virginia, Mr. CASTLE, Mr. COHEN, Mr. WILSON of Ohio, Mr. GOODLATTE, Mrs. BONO MACK, Mr. MANZULLO, Mr. PRICE of North Carolina, Mr. JORDAN, Mr. ROSKAM, Mr. RADANOVICH, Mr. BONNER, Mr. EHLERS, Mr. SHAYS, Mr. WILSON of South Carolina, and Mr. HOEKSTRA.
H.R. 2332: Mr. SMITH of Texas, Mr. BROUN of Georgia, Mr. SHUSTER, and Mr. ROGERS of Michigan.
H.R. 2395: Mr. CARSON.
H.R. 2448: Mrs. GILLIBRAND.
H.R. 2495: Mr. CAPUANO.
H.R. 2512: Mr. CARSON.
H.R. 2550: Mr. KELLER, Mr. BOOZMAN, Ms. KAPTUR, Mr. BUTTERFIELD, and Mr. CAMPBELL of California.
H.R. 2552: Mr. MCNULTY.
H.R. 2723: Mr. CARSON.
H.R. 2734: Mr. BUYER.
H.R. 2762: Mr. CARSON and Mr. FALEOMAVAEGA.
H.R. 2802: Mr. CLEAVER and Ms. HARMAN.
H.R. 2818: Mr. CARSON.
H.R. 2821: Mrs. BOYDA of Kansas.
H.R. 2892: Mr. PRICE of North Carolina.
H.R. 2922: Mr. CARNEY.
H.R. 2928: Ms. CLARKE and Mr. EMANUEL.
H.R. 2955: Mr. EMANUEL.
H.R. 3001: Mr. SPACE.
H.R. 3014: Mr. CAPUANO, Ms. WOOLSEY, Mr. CARSON, and Mr. SESTAK.
H.R. 3063: Mr. BISHOP of New York, Mr. KUHL of New York, and Mr. RANGEL.
H.R. 3089: Mr. TIBERI, Mr. PLATTS, Mr. GOODLATTE, Mr. MCHENRY, Mr. SMITH of Nebraska, Mr. CULBERSON, Mr. LAMBORN, Mr. BUYER, Mr. CONAWAY, and Mr. SHUSTER.
H.R. 3094: Ms. ROS-LEHTINEN.
H.R. 3164: Mr. COLE of Oklahoma.
H.R. 3175: Mrs. MCCARTHY of New York and Mr. UDALL of Colorado.
H.R. 3186: Mr. SPACE, Mr. PRICE of North Carolina, Mr. PICKERING, and Mr. BUTTERFIELD.
H.R. 3191: Ms. MCCOLLUM of Minnesota.
H.R. 3202: Mr. JEFFERSON.
H.R. 3232: Mr. DAVID DAVIS of Tennessee, Mr. SKELTON, and Mr. CARSON.
H.R. 3257: Mr. PETERSON of Minnesota and Mr. LAMPSON.
H.R. 3267: Mr. ORTIZ and Mr. CAPUANO.
H.R. 3282: Mr. CARSON.
H.R. 3326: Ms. VELÁZQUEZ.
H.R. 3334: Ms. BALDWIN.
H.R. 3363: Mr. CARSON.
H.R. 3396: Ms. HERSETH SANDLIN.
H.R. 3453: Mr. KING of New York and Ms. ZOE LOFGREN of California.
H.R. 3471: Ms. MCCOLLUM of Minnesota.
H.R. 3544: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. MILLER of North Carolina.
H.R. 3670: Mr. CAMPBELL of California.
H.R. 3700: Mr. CARSON.
H.R. 3817: Mr. KIND.
H.R. 3819: Ms. BERKLEY.
H.R. 3904: Mr. PRICE of North Carolina.
H.R. 4008: Ms. GINNY BROWN-WAITE of Florida.
H.R. 4026: Ms. LINDA T. SÁNCHEZ of California and Mr. CUMMINGS.
H.R. 4044: Ms. MCCOLLUM of Minnesota.
H.R. 4102: Mrs. MALONEY of New York.
H.R. 4109: Mr. PASTOR.
H.R. 4133: Mrs. MYRICK.
H.R. 4138: Mr. CARSON.
H.R. 4141: Mr. FEENEY, Mr. KING of Iowa, and Mr. POE.
H.R. 4204: Mr. UDALL of Colorado, Mr. PERLMUTTER, and Ms. BALDWIN.
H.R. 4218: Mr. CARSON.
H.R. 4237: Mr. AL GREEN of Texas.
H.R. 4464: Mr. BROUN of Georgia, Mr. PICKERING, and Mr. DAVIS of Kentucky.
H.R. 4544: Mr. BUYER.
H.R. 4652: Mr. WATT, Ms. MCCOLLUM of Minnesota, and Ms. SUTTON.
H.R. 4688: Ms. HOOLEY.
H.R. 4775: Mrs. DAVIS of California and Ms. ESHOO.
H.R. 4987: Mr. WITTMAN of Virginia.
H.R. 5032: Mr. INGLIS of South Carolina, Mr. MILLER of Florida, and Mr. DANIEL E. LUNGREN of California.
H.R. 5143: Mr. CARSON.
H.R. 5148: Mr. KLINE of Minnesota.
H.R. 5157: Mr. CARSON.
H.R. 5161: Mr. KAGEN.
H.R. 5174: Mr. SNYDER.
H.R. 5223: Mr. UDALL of Colorado, Ms. MCCOLLUM of Minnesota, and Ms. BALDWIN.
H.R. 5244: Mr. LEVIN.
H.R. 5265: Mr. WALSH of New York, Mr. GONZALEZ, Mr. MCCOTTER, and Mr. HULSHOF.
H.R. 5268: Mrs. DAVIS of California, Mr. FARR, Mrs. NAPOLITANO, Mr. BERMAN, Mr. CARSON, Mr. VAN HOLLEN, and Mr. RYAN of Ohio.
H.R. 5353: Ms. ESHOO, Ms. HARMAN, Mr. WALZ of Minnesota, Mr. GEORGE MILLER of California, Mr. FRANK of Massachusetts, Mr. ELLISON, Mr. SESTAK, Ms. ZOE LOFGREN of California, Mr. INSLEE, and Ms. SCHAKOWSKY.
H.R. 5426: Mr. CARSON and Mr. LATTA.
H.R. 5435: Mr. REYES.
H.R. 5441: Mr. HINCHEY.
H.R. 5515: Mr. MITCHELL.
H.R. 5534: Mr. MOORE OF KANSAS and Mr. LIPINSKI.
H.R. 5541: Mr. HONDA, Mrs. CUBIN, and Mr. RUPPERSBERGER.
H.R. 5573: Ms. BERKLEY and Mr. YOUNG of Florida.
H.R. 5580: Ms. MATSUI.
H.R. 5627: Mr. PATRICK MURPHY of Pennsylvania.
H.R. 5662: Mr. ORTIZ, Mr. ROTHMAN, Mr. GENE GREEN of Texas, Mr. RODRIGUEZ, Mr. ABERCROMBIE, Mr. BACA, Mr. LANGEVIN, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. GONZALEZ, Mr. HOLT, Mr. PASTOR, Mr. DOGGETT, Mr. SIRES, Mrs. NAPOLITANO, Mr. HONDA, Mr. MCINTYRE, Mr. RUPPERSBERGER, Mrs. DAVIS of California, Mr. BLUMENAUER, Mr. BILBRAY, and Mr. KLEIN of Florida.
H.R. 5669: Mr. YARMUTH, Mr. FORTENBERRY, Mr. REGULA, Mr. MCCRERY, and Mr. CAPUANO.
H.R. 5673: Mr. YOUNG of Florida, Mr. WITTMAN of Virginia, Mr. ROGERS of Kentucky, and Mr. CALVERT.
H.R. 5674: Ms. JACKSON-LEE of Texas and Mr. HASTINGS of Florida.
H.R. 5684: Mr. BUYER.
H.R. 5686: Mr. GONZALEZ and Mr. PAYNE.
H.R. 5695: Mr. GARY G. MILLER of California.
H.R. 5700: Mr. RYAN of Ohio.
H.R. 5740: Mr. GALLEGLY, Mr. HOEKSTRA, Mr. SCOTT of Georgia, and Mr. UPTON.
H.R. 5748: Mr. RAMSTAD and Mr. RAHALL.
H.R. 5755: Mr. WEINER.
H.R. 5759: Mr. LUCAS.
H.R. 5761: Mr. PITTS.
H.R. 5775: Mrs. MYRICK.
H.R. 5784: Mr. MARCHANT, Mrs. MYRICK, and Mr. KING of New York.
H.R. 5793: Mr. STEARNS, Mr. FERGUSON, and Mrs. BLACKBURN.
H.R. 5794: Mr. CAMP of Michigan.
H.R. 5797: Mr. WALBERG.
H.R. 5802: Mr. CARSON, Mr. STARK, Mr. MCGOVERN, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. CONYERS, and Mr. AL GREEN of Texas.
H.R. 5805: Mr. WITTMAN of Virginia.
H.R. 5806: Mr. JEFFERSON, Mr. CARSON, and Mr. ETHERIDGE.
H.R. 5818: Mr. MEEK of Florida, Mr. COHEN, Ms. LEE, and Ms. MCCOLLUM of Minnesota.
H.R. 5824: Mr. LOEBSACK, Mr. BRALEY of Iowa, Mr. ABERCROMBIE, Mr. HINCHEY, Mr. HARE, and Mr. SKELTON.
H.R. 5830: Mr. BACA and Mr. SHERMAN.
H.R. 5833: Mr. BLUMENAUER.
H.R. 5837: Mr. PITTS and Mr. COOPER.
H.R. 5842: Mr. DEFAZIO.
H.R. 5847: Mr. KINGSTON, Mr. GINGREY, Mr. WOLF, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 5854: Mr. MCDERMOTT and Mr. GOODE.
H.R. 5857: Mrs. BONO MACK.
H.R. 5868: Ms. FOXX.
H.R. 5881: Ms. MCCOLLUM of Minnesota and Ms. SCHAKOWSKY.
H.R. 5886: Mr. WITTMAN of Virginia and Mr. MARIO DIAZ-BALART of Florida.
H.R. 5892: Mrs. BOYDA of Kansas.
H.R. 5895: Mrs. MALONEY of New York and Mr. CARSON.
H.R. 5898: Ms. CORRINE BROWN of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. CARNEY, Ms. CASTOR, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. MICA, Mr. MILLER of Florida, Mr. REICHERT, Mr. WELDON of Florida, Mr. WILSON of South Carolina, and Mr. YOUNG of Florida.
H.R. 5906: Mr. KUHL of New York.
H.R. 5907: Mr. PLATTS, Mr. ALEXANDER, and Mr. ENGLISH of Pennsylvania.
H.R. 5911: Ms. FOXX.
H.R. 5913: Mr. WATT, Ms. SUTTON, and Mr. JOHNSON of Georgia.
H.R. 5914: Mr. ORTIZ, Mr. SESTAK, Mr. HINOJOSA, and Ms. LEE.
H.R. 5925: Ms. JACKSON-LEE of Texas.
H. Con. Res. 284: Mr. TAYLOR, Mr. HAYES, and Mrs. MUSGRAVE.
H. Con. Res. 285: Ms. SCHWARTZ, Mr. DOYLE, Mr. LEWIS of Kentucky, Mr. SKELTON, Mr. WHITFIELD of Kentucky, Mr. MATHESON, and Mr. ENGLISH of Pennsylvania.
H. Con. Res. 303: Mr. FORTENBERRY.
H. Con. Res. 305: Mr. PLATTS.
H. Con. Res. 328: Ms. ROS-LEHTINEN and Mr. ANDREWS.
H. Con. Res. 331: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALTMIRE, Mr. ARCURI, Mr. BACA, Ms. BEAN, Mr. BISHOP of New York, Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. CHANDLER, Ms. CLARKE, Mr. CLYBURN, Mr. COBLE, Mr. COHEN, Mr. CONYERS, Mr. COOPER, Mrs. CUBIN, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DINGELL, Mr. ELLISON, Mr. ELLSWORTH, Mr. ENGEL, Mr. FALEOMAVAEGA, Mrs. GILLIBRAND, Mr. HALL of New York, Mr. HARE, Ms. HARMAN, Mr. HASTINGS of Florida, Ms. HIRONO, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Mr. KAGEN, Ms. KAPTUR, Ms. LEE, Mr. LEWIS of Georgia, Mr. LOEBSACK, Mr. LYNCH, Mr. MCNERNEY, Mr. MAHONEY of Florida, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MURPHY of Connecticut, Mr. NADLER, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PERLMUTTER, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Ms. LORETTA SANCHEZ of California, Mrs. SCHMIDT, Mr. SHULER, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SHERMAN, Mr. SIRES, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. TSONGAS, Ms. WATSON,

Mr. WATT, Mr. WEINER, Mr. WEXLER, and Ms. WOOLSEY.

H. Con. Res. 334: Mrs. MYRICK, Mr. BOOZMAN, Mr. BOYD of Florida, and Mr. BUCHANAN.

H. Con. Res. 336: Mr. SPACE, Mr. TOWNS, Mr. HINCHEY, Mr. MEEK of Florida, Mr. HOLDEN, Ms. SHEA-PORTER, Ms. SUTTON, Mr. HALL of New York, Mr. LEWIS of Georgia, Mr. DOYLE, Mr. COHEN, Mr. WALZ of Minnesota, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. POE, Ms. KAPTUR, Mr. ALLEN, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. HARE, Ms. BERKLEY, Mr. PAYNE, Mr. HINOJOSA, and Mr. CALVERT.

H. Con. Res. 337: Mr. TIERNEY and Ms. SCHAKOWSKY.

H. Con. Res. 338: Mr. CLEAVER, Mr. BRADY of Pennsylvania, and Mr. COHEN.

H. Res. 339: Mr. WALBERG.

H. Res. 374: Mr. TOWNS and Mr. GRIJALVA.

H. Res. 389: Mr. GENE GREEN of Texas.

H. Res. 620: Mr. GENE GREEN of Texas.

H. Res. 679: Mr. GENE GREEN of Texas.

H. Res. 937: Mr. COURTNEY.

H. Res. 1002: Mrs. CAPPS, Mr. PRICE of North Carolina, and Ms. HERSETH SANDLIN.

H. Res. 1011: Mr. GOODLATTE.

H. Res. 1012: Mr. BRALEY of Iowa.

H. Res. 1017: Mr. TOWNS.

H. Res. 1022: Mr. KENNEDY, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. BISHOP of Georgia, Mr. HASTINGS of Florida, Mrs. JONES of Ohio, Mr. SCOTT of Georgia, Ms. KILPATRICK, Mr. PAYNE, Mr. BRALEY of Iowa, and Mr. JOHNSON of Georgia.

H. Res. 1056: Mr. KIRK.

H. Res. 1067: Mr. CUMMINGS.

H. Res. 1081: Mr. ISRAEL.

H. Res. 1085: Mr. MEEKS of New York, Mr. FATTAH, Mr. DAVIS of Illinois, Ms. Speier, Ms. CLARKE, Ms. LEE, Ms. WATSON, Mr. THOMPSON of Mississippi, Mr. WYNN, Mr. SCOTT of Virginia, Mr. BISHOP of Georgia, Mr. TERRY, Mrs. LOWEY, Mr. HASTINGS of Florida, Mr. NADLER, Ms. JACKSON-LEE of Texas, Ms. RICHARDSON, Mr. MCHUGH, Mr. FILNER, Ms. HIRONO, Mr. JOHNSON of Georgia, Mr. SCOTT of Georgia, Mr. ELLISON, Mr. BUTTERFIELD, and Ms. WATERS.

H. Res. 1106: Mr. MACK, Mrs. BONO MACK, Mr. LATOURETTE, Mr. BLUNT, Mr. TOM DAVIS of Virginia, Mr. TIBERI, Mr. HAYES, Mr. WELDON of Florida, Mr. YOUNG of Florida, Mr. SOUDER, Mr. MORAN of Kansas, Mr. MCHENRY, Mr. TIM MURPHY of Pennsylvania, Mr. MARIO DIAZ-BALART of Florida, Mr. SAXTON, Mr. CALVERT, Mrs. MUSGRAVE, Mr. LEWIS of Georgia, Mr. MCCOTTER, Mr. YOUNG of Alaska, Mr. HINOJOSA, Mr. LEWIS of Kentucky, Mr. PORTER, Mr. ROSKAM, Mr. CARTER, Mrs. Wilson of New Mexico, Mr. COBLE, Mr. TURNER, Mrs. MILLER of Michigan, Ms. ROS-LEHTINEN, Mr. WOLF, Mr. ALTMIRE, Mr. PLATTS, Mr. BACHUS, Mr. KING of New York, Mr. BUCHANAN, Ms. GINNY BROWN-WAITE of Florida, and Mr. GILCHREST.

H. Res. 1122: Mrs. MYRICK.

H. Res. 1124: Ms. SOLIS, Mrs. CAPPS, Mr. ENGEL, Mr. ALLEN, Mr. WAXMAN, Ms. WOOLSEY, Mr. BUTTERFIELD, and Mr. DOYLE.

H. Res. 1132: Mr. VISCLOSKY.

H. Res. 1133: Ms. CLARKE and Mr. LOEBSACK.

H. Res. 1143: Mrs. GILLIBRAND.

H. Res. 1146: Mr. KUHL of New York.

H. Res. 1147: Mrs. SCHMIDT, Mr. ROSKAM, Mr. BOUSTANY, Mrs. MYRICK, Mr. COOPER, Mrs. DAVIS of California, Mr. REICHERT, Mr. BACHUS, Mr. LATOURETTE, Mr. JONES of North Carolina, Mr. SAXTON, Mr. FEENEY, Mr. SHAYS, Mr. MCCARTHY of California, Mr. GERLACH, Mr. SHIMKUS, Mr. BUTTERFIELD, Mr. TURNER, Mr. PEARCE, Mr. THORNBERRY, Mr. HALL of Texas, Mr. CULBERSON, Mr. PLATTS, Mr. MCHENRY, Mr. BARRETT of South Carolina, and Mr. COBLE.

H. Res. 1153: Ms. WATSON, Mrs. MALONEY of New York, Mrs. MCCARTHY of New York, Mr. MCNULTY, Mr. HINOJOSA, Mr. CONYERS, Mrs. NAPOLITANO, Mr. YARMUTH, Mr. KAGEN, Mr. HOYER, Mr. DEFAZIO, Mr. CROWLEY, Mr. TOWNS, Ms. Lee, Mr. CARDOZA, Mr. SIRES, Mr. RANGEL, Mr. FRANK of Massachusetts, Mr. BRALEY of Iowa, of Massachusetts, Mr. BRALEY of Iowa, Ms. KAPTUR, Mr. HOLT, Mr. MURTHA, Mr. MICHAUD, Mr. FARR, Mr. COURTNEY, Mr. HARE, Mr. HINCHEY, Mr. WELCH of Vermont, Mr. THOMPSON of California, Mr. PRICE of North Carolina, Mr. BOSWELL, Mr. PASTOR, Mr. MITCHELL, Ms. CORRINE BROWN of Florida, Mr. SPACE, Ms. BALDWIN, Ms. TSONGAS, Mr. WAXMAN, Mr. RUPPERSBERGER, Mr. RAHALL, Mr. CARNEY, Ms. SUTTON, Mr. SARBANES, and Ms. SCHAKOWSKY.

H. Res. 1155: Mr. BOOZMAN, Mr. SNYDER, and Mr. BERRY.

H. Res. 1166: Mr. MCGOVERN, and Ms. JACKSON-LEE of Texas.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 992: Ms. FALLIN.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 7, by Mr. BOUSTANY on H.R. 5440: Jeff Flake, Marsha Blackburn, Rodney Alexander, John Campbell, Jerry Weller, Mike Rogers, John J. Duncan, Jr., Ginny Brown-Waite, Ray LaHood, Tim Murphy, Tom Feeney, Robert B. Aderhold, Kenny C. Hulshof, and Connie Mack.

Petition 5, by Mrs. DRAKE on H.R. 4088: Bill Sali.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

Vol. 154 WASHINGTON, THURSDAY, MAY 1, 2008 No. 71

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable AMY KLOBUCHAR, a Senator from the State of Minnesota.

PRAYER

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

Let us pray.

Creator of the Universe, help us to find meaning in our work. Train us to see Your purposes behind our task, motivating us to focus on pleasing You.

Empower our Senators. Give them the will and strength they need. Provide them with patience so they will neither despair nor grow weary in well doing. Give them confidence that in following You, Eternal Lord, they are certain of ultimate triumph. Let Your peace guard their hearts and Your wisdom direct their steps.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable AMY KLOBUCHAR 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, May 1, 2008.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AMY KLOBUCHAR, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. KLOBUCHAR thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, following my remarks and those of Senator MCCONNELL, if he decides to make such remarks, there will be a period of morning business for up to 1 hour, with Senators to be allowed to speak for up to 10 minutes each during that time. The Republicans will control the first 30 minutes and the majority will control the final 30 minutes. Following morning business, the Senate will resume consideration of H.R. 2881, the Federal Aviation Administration Reauthorization.

FIFTH ANNIVERSARY OF ''MISSION ACCOMPLISHED''

Mr. REID. Madam President, 5 years ago on the deck of an aircraft carrier returning from the Middle East, America and the world witnessed perhaps the greatest act of hubris our country has ever seen in wartime. Resplendent in a flight suit, landing theatrically in a fighter jet, President Bush declared: ''In the battle for Iraq, United States and our allies have prevailed.'' Above him was a banner, printed by the White House, with the idea coming from Karl Rove. That banner proclaimed ''Mission Accomplished.''

With families fleeing from Iraq by the tens of thousands to live as refugees, now approaching 2½ million—mission accomplished? With no government in place, with towns destroyed, with infrastructure in shambles—mission accomplished?

When President Bush put on his flight suit, 139 American troops had lost their lives. Today, the toll has reached 4,058 or 4,059. In April, with the highest death count in 7 months, 51 Americans were killed.

When President Bush landed on the runway of the USS *Abraham Lincoln*, 548 Americans had been wounded. Today that count is far more than 30,000, many of those grave injuries.

When President Bush announced that ''major combat operations have ended,'' the American taxpayers had spent about $79 billion in Iraq. Today, $526 billion and counting, we are spending $5,000 every second, 7 days a week, every week of the month, every month of the year. Those costs are going up, not down, with experts such as Nobel Prize-winning economist Joseph Stiglitz predicting $3 trillion will be the cost of the war, with every penny of it borrowed—from Japan, from China, from Saudi Arabia, even from Mexico.

In May, 2003, many of our allies had already begun to stand apart from us on the war. Today, our moral authority in the world has been gravely damaged. Not one American looks back on the 5 years since that aircraft stunt with any sense of satisfaction. Our country looks back with grief, sadness, yet with a fierce and unwavering commitment to finally change the mission and responsibly end the war in Iraq and bring our troops home.

That day aboard the USS *Lincoln*, our President told us the war would not be endless. He said: ''Americans, following a battle, want nothing more than to return home.'' He told the brave men and women aboard that carrier that home was their direction that day; that:

After service in the Afghan and Iraq theaters of the war, after 100,000 miles on the longest carrier deployment in U.S. history, you are homeward bound.

Madam President, let me again read that quote:

After service in the Afghan and Iraq theaters of the war, after 100,000 miles on the

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

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longest carrier deployment in U.S. history, you are homeward bound.

To the men and women aboard the *Lincoln* that day, that speech must seem a distant memory. Could they have imagined that day that many of them, and their brothers and sisters in arms, would now be in their third, fourth, and fifth tours of duty? The ''Mission Accomplished'' speech will rightly be remembered with great anguish by all.

Look at this. This chart, sadly, is a little behind but it makes the picture. I indicated that wounded troops are more than 30,000 now. Troops in Iraq on that day were 5,000 more then, with the troops, some of them, coming home.

Cost of the war to the taxpayers—you can see that.

What do you American people think about the war in Iraq, was it worth fighting? You can see the numbers.

The estimated number of Iraqi civilians killed—Johns Hopkins University did a study. Their study says over 200,000 Iraqis have been killed. The number of Iraqis who have fled their homes is almost 5 million. The number of Iraqi security forces—we have trained them, we paid for them—is almost half a million.

Iraqi prison population.

Number of daily attacks by insurgents and militias in Iraq: to date it is about 55.

The number of multiple-fatality bombings in Iraq in May of 2003: zero. Now look at that.

Suicide attacks: almost 1000.

The price of oil: in May of 2003, it was $26.03 a barrel. Yesterday we had a little drop in the oil price. It is down from more than $120 a barrel the last few days to only $115 a barrel.

The price of gas then was $1.50. If you are lucky, you can find it someplace in the United States for $3.62. That is the average.

George Bush, DICK CHENEY, and Donald Rumsfeld will be written in the pages of history as the men who rushed a peaceful, deliberate nation headfirst into war without the slightest notion of what it meant to run or to end it. Five years later, the cost of their hubris is staggering—in lives lost and damaged, dollars spent, moral authority squandered.

Let's think back to the men and women aboard the USS *Abraham Lincoln* that day 5 years ago; the excitement they must have felt by a Presidential visit; the encouragement of his words; the satisfaction of heading home to their families after a job well done.

They did their jobs, but the Commander in Chief didn't do his—as he has not done his job here at home, with record gas prices, record oil prices, and an economy spiraling into recession. I met with a number of homebuilders yesterday in room S–219. Have we reached the bottom in the housing market? They said: No, we are not close yet. About 50 million Americans are uninsured for health costs.

On this fifth anniversary, a sorry moment in our country's history, we pause to honor the troops aboard the USS *Abraham Lincoln* and all our troops, their brothers and sisters in arms who fought and sacrificed and continue to fight in Iraq. They deserve not the false hope of a slogan engineered by Karl Rove, the President's chief slogan maker, but the real hope of a responsible end to a war that has raged far too long.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Colorado is recognized.

ENERGY PRICES

Mr. ALLARD. Madam President, here we go again. We all know the Senate has limited time left this year to debate important legislation. It is becoming more and more clear the Democratic leadership is staunchly opposed to doing anything that would alleviate the seemingly endless upward pressure on energy prices. Given their unyielding desire to increase taxes on much of the energy industry, I can only assume the Democrats in Congress believe that steadily increasing energy prices simply provide political fodder upon which they can capitalize. Democrats in both Chambers appear beholden to the environmental agenda, a radical agenda that wholly disregards America's economy.

Oblivious to prices at the pump and indifferent to from whom we import our oil, far-left environmentalists and their cohorts in Congress are failing in their duty to the American public. The Congress has stymied efforts to produce trillions of cubic feet of natural gas, trillions of barrels of oil, and prevented the construction of new refineries, nuclear powerplants, and hydroelectric facilities through public policies that limit energy supply. We cannot afford to take any option off the table.

The security concerns of America and our businesses and consumers still demand energy. In oil alone, we consume over 20 million barrels a day. Since we only produce just over 8 million barrels per day, the gap must be made up by purchasing oil from hostile or undemocratic nations, such as Venezuela, Saudi Arabia, and Nigeria to meet our energy needs. We spend over half a trillion dollars each year importing foreign oil, and it is far past time to rectify this unhealthy dependency.

The global price for petroleum reaches new highs every day and petroleum-related imports have caused our trade deficit to increase by billions of dollars.

According to a study by the Congressional Research Service, in 2005 and 2006 alone, our trade deficit rose by $120 billion. As oil prices continue to rise and domestic energy production is further obstructed, America's trade balance will only fall deeper into the red.

As a Senator from energy rich Colorado, I am on the front lines of the battle to increase our domestic energy production. The Democrats continue to delay efforts to tap into a natural gas reserve below the Naval Oil Shale Reserve, often referred to as the Roan Plateau, that contains approximately 8.9 trillion cubic feet. We need this clean source of energy now.

Moreover, below the vast lands of Colorado and Wyoming lies roughly 1.5 trillion barrels of potentially recoverable oil. This amount dwarfs the reserves of Saudi Arabia and other petro-rich nations, and new technologies continually emerging would allow us to responsibly extract this oil to help meet our demands. The benefits to Colorado and the American economy would be tremendous.

Additionally, national environmentalist groups have succeeded in pressuring Members of Congress to mandate a lock-down of what could be an immense treasure chest of oil in the Arctic National Wildlife Refuge.

In subverting the widespread local support of Alaskans and in prohibiting the potential extraction of 5 to 15 billion barrels of oil, environmentalists stubbornly resist even moving forward with comprehensive testing that could result in the environmentally responsible development of parts of the Arctic National Wildlife Refuge.

The U.S. Geological Survey announced this month that 3 to 4 billion barrels of technically recoverable oil exists under North Dakota and Montana's Bakken Formation. This is 25 times more than was estimated to exist in 1995. These numbers are staggering, and there are other examples where our aversion to responsible development defies common sense.

Of course, we must continue our dedicated efforts to explore alternative sources of energy to meet our demands, but it is possible to develop sections of the Arctic National Wildlife Refuge, extract natural gas from the Rocky Mountain west and harvest resources offshore in economically feasible ways and also protect our natural wonders.

We should not take increased production of any domestic oil off the table. The longer we completely deny access to domestic supplies, the more we exacerbate our current energy shortages.

We cannot solve the problem of soaring gas prices facing America today with one solution, but we certainly

should not allow the relentless push of environmentalists' narrow agenda to make this crisis even worse. What will the average gallon of gas in America have to cost for the Democratic leadership in Congress to step to the plate with a comprehensive solution for our consumers?

We should seek to develop our renewable resources along with oil, gas, clean coal, nuclear, and hydroelectric energy in a manner that prevents foreign interests from taking over energy for their own purposes.

It is time for congressional leaders to be a part of the solution and not the problem. It is time to put every idea on the table. It is time for common sense.

In the State of Colorado, we have a plethora of energy sources. We obviously rely on renewable energy because we have lots of sun and wind, we have hydroelectric, we have uranium to produce nuclear power. None of these or our rich resources in petroleum and coal that exist throughout the country should be taken off the table.

For us to subject ourselves to a harsh extreme environmental agenda does not make sense. This country should continue to work to develop all of those resources. Obviously, the future of this country is on the renewable side, but we have to deal with today's problems, today's price at the gas pump, and therefore we need to produce domestic resources in addition to supporting the renewable technologies we are currently developing.

If we do that, we will most successfully address the high cost at the gas pump today. Congress should be working with industry to make sure we have more plentiful supplies of gas and petroleum products in addition to developing other sources of renewable energy.

I yield the floor.

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

Mr. ALEXANDER. Would you please let me know when 5 minutes has expired?

The ACTING PRESIDENT pro tempore. The Chair will do that.

TVA APPOINTMENTS

Mr. ALEXANDER. Madam President, Tennesseans like our sports teams, whether it is the Lady Vols, or the Memphis Tigers, or Bruce Pearl's team from Knoxville. But John Calipari or Pat Summitt or Bruce Pearl wouldn't think of sending any of our teams into a big game with two players locked up somewhere—two players missing.

That is exactly what my friend, the Democratic leader, has done for 8.7 million Americans who live in the seven-State region of the Tennessee Valley Authority. Our big game, like most Americans, is gas prices, electric prices, climate change, clean air, national security.

Every Senator is on the floor talking about that; some blaming, some with solutions. I am going to Oak Ridge on May 9 to propose a new Manhattan Project to deal with clean energy independence.

But our secret weapon in the TVA region is the Tennessee Valley Authority. That is how we get our clean air so we're in compliance with clean air laws and new jobs can come in. It is how we deal with climate change. They have coal-fired powerplants. It is how we deal with large amounts of electricity at a low cost. That has to do with jobs and it has to do with gas prices as well.

Nissan, Toyota, and General Motors all are about to sell us plug-in hybrids that could, by some estimates, reduce the amount of gasoline we use by up to 40 percent. That would deal with gas prices. But who will supply electricity for the plug-in hybrids? The Tennessee Valley Authority. So what happens? The Democratic leader locks up two of our best players and won't let them play in the biggest game we've got. If he did that to two of our Memphis basketball players, or UT Lady Vols, or two of Bruce Pearl's players, there would be a revolt in Tennessee, and I hope there is a revolt about this.

Here is what has happened: In 2004, after several years of debate, we created a new board for the Nation's largest public utility—the Tennessee Valley Authority. The President appointed nine members. They were unanimously approved. Two had short terms; they served with distinction and the President nominated them for reappointment. The Environment and Public Works Committee unanimously, under Chairman BOXER, brought them to the floor. They are ready for approval, ready to go to work. But the Democratic Leader has sent me a letter that basically says he will not allow them to be confirmed because they are Republicans. That astounds me. I ask unanimous consent to put that letter in the RECORD.

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

U.S. SENATE,
Washington, DC, April 14, 2008.

Hon. LAMAR ALEXANDER,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR ALEXANDER: I am writing to you to advise you of my concerns regarding appointments to the Tennessee Valley Authority (TVA).

As you know, the TVA was reconfigured in P.L. 108–477, the Omnibus Appropriations bill enacted December 8, 2004. The inclusion of that substantive legislation in this appropriations vehicle expanded TVA membership to 9 members from 3 members. This omnibus legislative rider gave appointive authority entirely to the President with no bipartisan representation.

I expressed my concerns regarding this situation over a year ago when the first slate of 6 TVA nominees was sent to the Senate. I asked the President to consider using one of the remaining positions for a Democratic candidate. Despite that request, the President nominated 3 additional Republicans for the TVA. Before the Easter recess, we confirmed one of those remaining 3 TVA nominees.

Given the inadequacy of bipartisan representation on the TVA and our recent approval of 7 Republican nominations to the TVA, I do not support proceeding with further TVA confirmations at this time.

Sincerely,

HARRY REID,
Majority Leader.

Mr. ALEXANDER. The Democratic leader's decision to block these nominees because of their party affiliation overturns 75 years of Federal law and custom. Since 1933, Federal law has never made politics one of the considerations for TVA appointments.

Most Presidents have appointed members of their own party, sometimes political independents—such as Bishop William Graves, one of the two nominees for reappointment who is being locked up.

Bishop Graves is not even a Republican. He is the most experienced member of the TVA board, coming from the largest customer, Memphis Light, Gas and Water, and he is the presiding bishop of one of the largest religious denominations in America.

I have sent a letter to the majority leader. I ask unanimous consent it be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, April 30, 2008.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR REID: Your decision to block Senate confirmation of the President's renomination of Bishop William Graves of Memphis and Susan Williams of Knoxville to the Tennessee Valley Authority Board of Directors astounds me. If you succeed, you would overturn seventy-five years of federal law and custom.

Your actions insult the Mid-South's largest city, Memphis. Until Bishop Graves' appointment in 2006, a Memphian had never served on the TVA board.

Your actions are an affront to more than one and a half million African Americans in the seven—state TVA region. Until the appointment of Bishop Graves the presiding Bishop of the Christian Methodist Episcopal Church—an African American had never served on the TVA board.

Your actions are the kind of disheartening playpen partisan politics that disappoint the American people and are causing them to cry out for change in the way Washington does its business.

Since the founding of TVA in 1933, federal law has never required presidents to appoint TVA directors from one political party or another.

Almost always, presidents have appointed members of their own political party. As is the case with Bishop Graves, members have often been political independents.

TVA is the nation's largest public utility, with more than $9.2 billion in annual revenues and 8.7 million customers. In 2004, after several years of debate, Congress created a new TVA board and a modern governance structure.

Bishop Graves and Susan Williams were original members of the new board, nominated by the President and confirmed by the Senate. They have served with distinction. The President has now renominated them. The Senate Committee on Environment and Public Works has again unanimously recommended them.

Tennessee Valley residents face no greater challenges today than dealing with energy costs, clean air and climate change. The Tennessee Valley Authority needs a full membership on its board to solve those problems.

I respectfully request that you lift your roadblock, stop trying to change seventy-five years of law and custom, and allow these two outstanding nominees to go back to work on the TVA board helping to provide the large amounts of clean, low cost, reliable electricity Tennessee Valley residents need to keep good jobs and clean air.

Sincerely.

LAMAR ALEXANDER,
United States Senator.

Mr. ALEXANDER. I have said to the majority leader: This is an insult to Memphis. Bishop Graves is the first Memphian ever to serve on the TVA board in its history. It is an affront to the more than 1.5 million African Americans in our region. Bishop Graves is the first African American ever to be on the TVA board.

At a time when there is a stream of Democratic Senators coming to the floor trying to find somebody to blame for high gas prices, why is the majority leader locking up two of the most valuable players on our team whose job it is to deal with high gas prices, high electric prices, climate change, clean air, and national security?

I respectfully suggest that the majority leader, for whom I have the greatest respect, lift this roadblock—stop trying to change 75 years of law and custom. Unlock our two players and let them out and let them into the game against high gas prices and let them go to work.

This is disheartening playpen partisan politics—it disappoints the American people and causes them to cry out for changing the way that we do business in Washington.

I yield the floor.

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

Mr. CORKER. Madam President, it is always an honor to be in the presence of the senior Senator from Tennessee who does such an outstanding job in this body of promoting bipartisanship.

I know the Presiding Officer has played a big role in that. I thank you for that. I want to say I came here as did the Senator to solve big problems for our country in a bipartisan way.

I just left a meeting that I think exemplifies that to the highest level, where RON WYDEN and BOB BENNETT are cosponsoring a great piece of legislation in a bipartisan way, to solve the tremendous health care crisis our country is dealing with today.

I am proud to be part of that and to join them in a bipartisan way to solve this major problem. I know many of us are doing the same thing to focus on the energy issues that are before us as a country. That is what I came here to the Senate to do. I know that is exactly the reason, Madam President, you came to the Senate.

That is why today I rise with tremendous frustration over the actions of our majority leader. I have enjoyed working with our majority leader, and he certainly has done a good job in many instances. But, today, strictly on a politically motivated basis, in a letter to the senior Senator he stated he is not going to confirm TVA appointees because they are not Democrats.

We went through a tremendous amount of effort, or this body did prior to me being here, to make sure the TVA board was a professional board, that people there were able to make decisions in the best interests of that body and all the many people who are served by the TVA facility.

These two nominees are outstanding human beings. They have served their State, their cities, and our country with great distinction. Bishop Graves is someone who recently was heralded here in Washington because of his tremendous leadership in making sure that the racial divides that have been a part of our country were swept away.

Susan Williams has done the same, has been a leader in many other ways, in business, and both of them have helped shepherd TVA through some of the finest years TVA has had.

Both of these are reappointments. In other words, they have already served as part of the TVA board, which recently has been expanded geographically to bring in other States, which is a very good thing from the standpoint of board representation.

Both of these members were approved unanimously by EPW, again a bipartisan effort, which I might say also is controlled by the Democratic Party. So I have to tell you while it is frustrating to me to see this body become a proxy in some cases for the Presidential races, I hate to see some of the things we deal with as a result, and that diminishes this body.

I will tell you that our leader taking this position is a tremendous disservice to this body; diminishes this body. I hope the leader will come to his senses, will realize that not only is he doing something that is of tremendous harm to TVA, it damages this body for the majority leader to act in such a politically motivated way.

I hope very soon these nominees will be reappointed. I hope TVA can get about its business in serving the people of Tennessee and other surrounding States in a proper way. I hope the majority leader again will do the right thing, will cause these nominees to come to the floor. I am sure they will be unanimously confirmed.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. MARTINEZ. I ask unanimous consent that the order for the quorum call be rescinded.

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

ENERGY POLICY

Mr. MARTINEZ. Madam President, we are facing a real problem as Americans increasingly go to the gas pump to fill the need of energy for their vehicles and they find that the prices at the pump are ever higher, more onerous, and it makes the family budget more difficult to manage. This is a problem for working families, to the typical American family trying to drive children to school, participate in carpools and other activities. It hits everyone at a time when other economic problems are surrounding the American family. We have a problem, and we have to act. Failure to act is not an option. At this point in time, we cannot offer immediate solutions, but we have to recognize where we are. We have to recognize what has not happened.

I recall many days sitting where the Presiding Officer sits today, when our party was in the majority. Democrats would come to the floor and talk about how, if they were in power, because they were not in cahoots with the big oil companies, then things would be better, they would find a way to make things better. There was a bold announcement made by then-House minority leader NANCY PELOSI on April 24, 2006:

Democrats have a commonsense plan to help bring down skyrocketing gas prices.

That is when prices were tipping at $3 a gallon. They were $2-something a gallon. I wish today we were back to those moments in time.

A commonsense plan to help bring down skyrocketing gas prices? I ask, where is the plan? What happened to that plan? Democrats came into power to lead both Houses of Congress on January 4, 2007. The distinguished Senator from Minnesota proudly took her oath; many others came into office. At that point in time, the price of gas was $2.33 a gallon. Today, it is $3.62 a gallon. Is this what the commonsense plan to bring down prices was supposed to bring us? Is this why someone had a plan that was going to help America? Has it helped us? Have we gone up or down? The fact is, today prices are $3.62.

What we should do is have some plain talk. The fact is, it didn't matter who was in control of Congress because the laws of economics go well above the laws of politics. This is about supply and demand. The fact is, there is not a commonsense plan. The fact is, there is no plan, that America's energy policy continues to flounder for several reasons. We have to act, and we have to act as responsible leaders.

One of the things that is inevitable is that as long as supply and demand stay where they are today, with demand ever increasing and supply topping out, we will continue to have increasing prices. I submit that part of what has to occur is increased production. We have to find ways that we can, within our own borders, produce more energy.

I have been supportive of drilling in 2000 acres of the vast wilderness of Alaska in a way that would be safe. If it had been done back when President

Clinton vetoed it, today a million barrels a day would be flowing into the stream of production and would help with this supply problem we have today.

There may be other safe ways. A year or so ago, we made a deal. The deal was that we would drill safely in areas well away from the Florida coast in the Gulf of Mexico—8 million acres for new drilling that are also available and will produce oil and gas.

These are helpful steps, but they are not enough. We have to conserve. We have to find ways to encourage Americans to conserve at the pump, to save by carpooling, to save by finding a way of buying more energy-efficient vehicles.

We as a government should be helping American consumers through our tax system to find a way they can purchase vehicles that are more energy efficient. We know that a hybrid vehicle will get 35 to 38 miles to the gallon. We know that a standard vehicle of similar size would be lucky if it gets 17 or 18 miles to the gallon.

At the end of the day, it is a combination of strategies. The bottom line is, we have to have a multifaceted strategy. We have to work together, not suggesting that there is one party that has a secret plan that, in fact, doesn't exist. We have to find a commonsense way to work together, Democrats and Republicans, to increase production modestly and safely, to encourage conservation and new technologies, and to continue to boldly move forward toward a Manhattan-type project that is going to put all of the resources and energies of this country toward energy independence and energy security so we can discontinue this horrendous practice of wealth transfer that is taking place today between our country—the billions and billions of dollars we are transferring to some of the worst enemies of our country, people such as Hugo Chavez and Ahmadinejad.

The day is coming when we have to find a way to pull together toward a common goal of having a sensible, balanced energy policy, increase production safely, conserve more, and new technology. All working together, we can do this. America can meet this challenge.

I yield the floor.

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

Mr. BROWN. Madam President, I can't quite believe what I just heard. Because Democrats in 2006 said we need a different energy policy than the White House, a President and Vice President who both come out of the oil industry, both top energy executives, where much of the funding for the President's party comes from the oil industry, and in 2006, the Democrats said the Congress betrayed the American people because they let the oil industry write the energy bill, now my friend from Florida is saying it is the Democrats' fault that gas prices are through the roof.

One of the best friends of the President was the CEO of Enron, a major funder to the President, close friend of the President who had a personal nickname, and Enron had gamed the system through speculating and speculating. It cost consumers, especially on the west coast, hundreds of millions, even billions of dollars as people raked off profits from their speculating. We are seeing the same kinds of things. I don't know if they are the President's friends doing it anymore, but I know there are people who have gamed the system. That is the reason, with no major international incident in the last 2 years, no major outage of a refinery or fire of a refinery or pipeline disruption, that prices have spiked so much.

It is clear that a Justice Department working for the President of the United States, that is not beholden to the oil industry, might actually take some action on price fixing and recommend an excess profits tax—all the kinds of things we could be doing in this body and that the executive could do. But in this body, we have seen filibusters.

Every time we try to do something on oil prices, every time we try to do something on long-term alternative energy, the Republicans filibuster. They have filibustered more than 60 times. It is approaching 70. I am not sure of the number; it is hard to keep up. They have filibustered more times already in this congressional session than they did in any 2-year session in history by a lot, and they are continuing to do it.

We would love to sit down with my friend on the other side of the aisle and work on real energy legislation and wean this body and wean the White House from their addiction to oil company campaign dollars, and help wean the American people from our addiction to foreign oil. We would love to work on that.

I introduced legislation yesterday that will help to jump-start the green energy industry in this country. It is clear we need to do a lot of that. But the American public is tired of finger pointing. It is time this Congress did more on energy, and that the Republicans, instead of filibustering—there are 51 Democrats in this body; we need 60 votes to do anything because of the filibuster—instead of the Republicans holding together and blocking things, instead of filibustering, let us work together on energy issues and not have the oil companies dictate to this body, as they did for year after year after year.

When I was in the House of Representatives, the oil companies dictated to the House of Representatives leadership, and everybody in those days in the majority party—which was the Republicans then—went along with their leaders on writing an energy bill that had $18 billion of subsidies and giveaways and tax breaks to the oil industry. Yet they are the most profitable industry in America year after year after year.

Something gives there. It is time for something very different. I want to work together. The finger pointing should end. Let's sit down and do this right, but don't block us to do things that will help stabilize gas prices now and help to bring them down over the short and medium term and long term to come up with a real energy policy so we are not relying on—as my friend Senator MARTINEZ said—not relying on Venezuela and Saudi Arabia and countries that are not so friendly to us.

SMALL BUSINESS EMPOWERMENT ACT

Mr. BROWN. Madam President, earlier this week, I spoke on the Senate floor about Cover the Uninsured Week and a bill I was introducing that would increase access to health coverage for small businesses and self-employed individuals—a group we all too often forget about around here. Today I am formally introducing the Small Business Empowerment Act. I wish to discuss this bill in a bit more depth.

First, why is it necessary?

It is necessary because 82 percent—82 percent—of the uninsured work for a living. They have jobs. The overwhelming majority work in small companies—companies with 2 people, 5 people, 20 people—or they are self-employed.

In Ohio, my State—whether you are in Steubenville or Lima, whether you are in Kent or Chillicothe—99 percent of firms with more than 50 workers sponsor health insurance. So if you are at a relatively midsized or larger company, you have 50 or more workers, 99 percent of those firms offer some kind of fairly decent insurance for their employees. That is for companies above 50 employees.

For companies under 50 employees, only 44 percent of those firms do. Many of them are self-employed. Many of them only have 5 or 10 or 15 employees. Small employers who do offer coverage—and most of them absolutely try to—I have talked to small businesspeople from Springfield to Zanesville, from Bellaire to Delphos, and I hear repeatedly from small businesses they want to insure their employees, but it is getting harder and harder and harder. According to the well-respected RAND Corporation—a nonpartisan group that dispassionately analyzes these kinds of things—small businesses saw the economic burden of health insurance rise by 30 percent between 2000 and 2005. And it is getting worse.

The situation is even worse for the self-employed, who must contend with staggeringly high premiums for individual coverage—they don't get any group-rate break—if they can find an insurer even willing to cover them.

In these small pools, if you have 3 employees or 8 employees or you are self-employed, and there is anybody in this small pool of 1 or 20 who has some major preexisting condition, you probably cannot get insurance at all.

In the meantime, health insurers have been living large, their profits increasing by more than a third over the last 5 years—not much different from the oil industry, where the public recoils from staggeringly high gas prices, and the oil industry is making record high profits. The public—particularly small business—is recoiling from higher health insurance premiums and higher copays and deductibles. Yet health insurance companies are doing better and better.

Middle-class families are shouldering the burden of skyrocketing gas prices and ballooning food prices, even as the equity in their homes erodes and the cost of putting their children through college explodes.

It would be ideal if they could afford to pay a king's ransom for health insurance. They cannot. And they should not have to.

With those realities staring us in the face, inaction from this body is the same as indifference.

My legislation attacks the issue of health coverage access from several different directions.

To ensure widespread access, the bill would establish a national insurance pool modeled after the successful Federal Employees Health Benefits program. The FEHB, Federal Employees Health Benefits program, which enables enrollees to choose from a variety of health plans, with rates and benefits negotiated by the Federal Office of Personnel Management, has served Members of Congress and hundreds of thousands of Federal employees well for many years now.

So understand, there are hundreds and hundreds and hundreds of thousands of Federal employees—whether they work in the Celebrezze Building in Cleveland, whether they work in the Office of Management and Budget in Washington, whether they work in Bethesda for the National Institutes of Health, whether they work at Wright-Patterson Air Force Base; any of these Federal jobs—Federal employees are in a huge pool that negotiates price. So it obviously works in a way that keeps rates in check.

Under my bill, an independent contractor would manage a program that looks like FEHB, with a few modifications to accommodate the market segment it would serve. A few of those modifications are designed to hold down costs.

The bill would establish a reinsurance program to pay claims that fall between $5,000 and $75,000. That is where small business gets hit the hardest. When 1 or 2 or 3 employees, in a company of 50 or 40 or 30 or 100, get hit with a huge bill of hundreds of thousands of dollars, it affects the entire pool, and it affects everyone's premium and, in many cases, it makes insurance for the small business employer simply out of reach.

This bill establishes a reinsurance program to pay claims that fall between $5,000 and $75,000. This approach minimizes premium spikes and it makes coverage affordable for companies regardless of the age and the health of their employees.

The bill establishes what is called a loss-ratio standard for insurers. This means that insurers would be required to spend most of their premium income on claims, and hold down their administrative costs. We know what happens with small employers: the administrative costs the insurance companies take are typically huge and have a major impact on the per-employee cost of health insurance.

The bill would identify and apply strategies to ensure that providers employ ''best practices'' in health care, which means they are providing the right care at the right time in the right amount.

Finally, the bill would target price gouging by drug manufacturers and manufacturers of other medical products, including medical devices.

Price gouging occurs in U.S. health care when a company exploits American consumers by charging them dramatically higher prices than consumers in other wealthy nations.

Why are we paying so much more for prescription drugs in this country than the Canadians pay, when the Canadians often are buying drugs manufactured in the United States? It is the same drug, same brand name, same packaging, same dosage. Yet they are paying in Canada sometimes half as much.

In fact, for years, I used to take—when I was in the House of Representatives—busloads of constituents to Canada, about 2, 2½ hours away from Lorain, OH, where I lived, to buy prescription drugs at a pharmacy in Ontario. The same drug, same dosage—everything was the same, except for the price.

Other modifications in the bill are designed to ensure that health coverage is nondiscriminatory. Think about it this way: If your next-door neighbor develops a mental illness such as clinical depression, and you develop a medical illness such as heart disease, why should your next-door neighbor be denied health benefits that you get because that is a mental illness versus a physical illness? We both have paid premiums. Your next-door neighbor and you have both paid premiums to cover your health care costs. You both need health care. Why is one condition—the condition of heart disease—more worthy of coverage than the condition of clinical depression?

My bill charges a group representing providers, businesses, consumers, economists, and health policy experts with rethinking health care coverage to eliminate arbitrary differences in the coverage of equally disruptive, disabling, or dangerous health conditions.

The bottom line is this: We have an opportunity to expand access to health coverage in a way that achieves fundamental goals.

One, we reach populations who cannot find a home in the current insurance system because they are small businesses, typically, or self employed.

We stand up for American consumers who are paying absolutely ridiculous prices in many cases for essential health care.

We demand spending discipline on the part of insurers. They have chosen to play a pivotal role in the health of our Nation. They can live with reasonable limits on their administrative costs, as their profits go up and their executive salaries are in the stratosphere.

We can clean up duplication and random variation in the delivery of health care services.

We can end arbitrary coverage rules that turn health protection into a health care crapshoot.

For the sake of small employers, for the sake of their employees, for the sake of self-employed entrepreneurs—whom we need so desperately in this country to compete globally—and for the sake of every American who did not request, did not sign up for a particular health problem, and should not be penalized for having it, I hope Members on both sides of the aisle will support my legislation.

Madam President, I suggest 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.

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

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

''MISSION ACCOMPLISHED'' ANNIVERSARY

Mrs. BOXER. Mr. President, 5 years ago today, President Bush stood on the deck of the USS *Abraham Lincoln* in front of a banner that said ''Mission Accomplished'' and he told the Nation that major combat operations ended in Iraq. Those were his words. Now, listening to the radio reports today, I hear that the President's Press Secretary, Dana Perino, said we all—all of America—misunderstood. He didn't really mean the mission in Iraq was accomplished; he was just talking about the fact that the particular aircraft carrier on which he landed, that they had done their mission and that was accomplished.

I don't even know how to react to that. It is beneath the dignity of a White House Press Secretary to reach in that fashion. I will tell you why. I read the speech the President made in its entirety, and I don't see one thing that talks about a mission accomplished by the USS *Abraham Lincoln*, the carrier—not one word, not one thing.

I thought to myself: What would that be like? I thought: Maybe it is as if the Presiding Officer or I were giving a speech on health care, and behind us

we had a big banner and the speech was televised and it said: Health care for all. Health care for all. We gave a speech, and then a few days later someone who saw the speech said: Senator, I am really annoyed about your speech. You said health care for all. I already have my health care. I don't like your system. Leave me out of it.

And I responded in this way: I didn't mean anyone outside this room. I only meant the people I was speaking to in the room—even though I had a sign that said: Health Care For All.

So please, please, let's not make matters worse by distorting the truth any more than it has already been distorted from day one of this national nightmare.

What else did the President say on that aircraft carrier that day 5 years ago today? He said: Other nations in history have fought in foreign lands and remain to occupy and exploit. Americans following a battle—

Listen:

Americans following a battle want nothing more than to return home. Americans following a battle want nothing more than to return home.

He said:

That is your direction tonight.

Five years ago, the President said we won the battle; it is time to go home. Where are we 5 years later? I just heard 48 deaths last month, which is the highest in 6 months. Since that day 5 years ago, 3,922 troops have died in Iraq, including 796 either from or based in California, and almost 30,000 have been wounded. We have spent more than a half billion dollars, and there is no end in sight.

When the President made his declaration, the price of oil was $26 per barrel. It now stands at $113 per barrel. Remember, the oil was supposed to pay for the war. Remember. Don't forget, the oil was supposed to pay for the war. That is what the administration told us.

The words, ''Mission Accomplished,'' no matter how somebody tries to torture it, have come to symbolize the dishonesty and the incompetence that took our Nation into an ill-advised war of choice—a war with a price in terms of lives and treasure and our Nation's standing in the world only grows higher and higher and higher with each passing day. We cannot afford it.

We recognize the words, ''Mission Accomplished,'' as part of a sad and familiar pattern, another verse in the same song from the people who warned us the smoking gun could be a mushroom cloud. Remember when Secretary Rice said the smoking gun could be a mushroom cloud, even as they knew it wasn't true. They assured us we would be greeted as liberators. They swore we would be turning the corner and that the insurgency was in its last throes.

Then they said, when we asked why isn't this war over: Well, we need to train enough Iraqis, and when they stand up, we will stand down. We have spent so much training the Iraqis—I want to make sure I am right on this—$20 billion we have spent training over 400,000 Iraqis.

I asked General Petraeus: How many al-Qaida are there?

He said: Very few left, a few thousand maybe—not even.

I asked General Petraeus: How many insurgents are there?

He said: In the thousands.

We have trained over 400,000 Iraqi soldiers, but our troops are still dying instead of playing a support role as they should.

I wish to talk about the money that we, the taxpayers, are spending. We are spending $10 billion a month in Iraq. That is $2.5 billion a week. That is $357 million a day. Now, remember, this is all borrowed money and the cost of this is going right to the debt that our grandchildren and their children will have on their backs. The President's policy is being paid for on a credit card, and we are sticking future generations with the bill. That is irresponsible and immoral.

We don't have a plan to get out of Iraq 5 years after ''Mission Accomplished.'' Everybody says this war cannot be won through military means; it has to be won through political means. Yet we sit back, and the Government in Iraq makes very little progress, and they know, because of this President and this administration, they don't have a price to pay for not being effective. They don't pay a price for that, for not solving this politically. They don't pay any price because we are going to be there, and the blood and treasure of this country is on the line.

The President says: Iran and al-Qaida are our biggest enemies. The President of Iraq holds hands with Ahmadinejad of Iran. They kiss each other on the cheek. We spend this money, we lose these lives, our President says Iran is our biggest enemy alongside al-Qaida, and we just keep on sending the money to a government that embraces Iran.

Now, I don't care how you figure this out, it doesn't add up to me. For less than the cost of 3 months in Iraq, we could enroll every eligible child in the Nation in the Head Start Program for a year. For 3 months in Iraq, that is what we could do for our children, and we know the waiting list is long.

For 2 weeks in Iraq we could provide health insurance for 6 million uninsured children for a whole year. The list goes on.

For 7 days in Iraq we could enroll 2.5 million kids in afterschool programs. For 6 weeks in Iraq we could ensure full interoperability of all of our communications systems. We are not protected in America because we don't give our emergency workers the interoperability they need. For the cost of 6 weeks in Iraq we could do that. Oh, no.

For 3 weeks in Iraq we could extend the renewable energy production tax credit for 4 years and see jobs from solar and wind and geothermal energy. We could extend 13 additional weeks of unemployment insurance in this recession for 1 month in Iraq. The list goes on.

We have given so much on this 5-year anniversary. It is time for a change in this country. We need to tell the Iraqis we will stand behind them, but we are not going to stand in front of them, and we are not going to continue to pay these enormous costs. Our country cannot afford it.

I thank you, and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAA REAUTHORIZATION ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2881, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal year 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

Pending:

Rockefeller amendment No. 4627, in the nature of a substitute.

Reid amendment No. 4628 (to amendment No. 4627), to change the enactment date.

Reid amendment No. 4629 (to amendment No. 4628), of a perfecting nature.

Reid amendment No. 4630 (to the language proposed to be stricken by amendment No. 4627), to change the enactment date.

Reid amendment No. 4631 (to amendment No. 4630), of a perfecting nature.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, the work done on this piece of legislation to bring it to the floor is a good piece of work. Democrats and Republicans worked together to move toward solving one of America's major problems, and that is dealing with our aviation system. Chairman ROCKEFELLER, Senator INOUYE, Senator BAUCUS, Senator STEVENS, Senator GRASSLEY, Senator HUTCHISON, and their staffs understood that ensuring the safety and efficiency of America's air traffic is too important to fall victim to politics, slow walking, or obstruction. It even appeared for a while that this bill was on the path to a relatively smooth and easy final passage.

But now our Republican colleagues have signaled that they plan to let this bipartisan legislation fall victim to more obstruction. We could have moved to the bill yesterday, but the Republicans wouldn't let us do that. They forced us to spend more valuable legislative time not legislating, not trying to strengthen our country for the American people but simply overcoming procedural roadblocks that have been thrown at us time after time.

As we have said on a number of occasions, but certainly it is worth saying again, Republicans broke the 2-year filibuster record in the history of this Senate in just 10 months. We are now up to 68 filibusters. That is not normal filibustering, it is filibustering on steroids.

Democrats want to change our country for the better. We want to change the status quo. We have an economy spiraling into recession. Gas and oil prices are at a record high. We have the war in Iraq that 70 percent of the American people want to end. The problems we have faced and now face can't be solved easily.

But it would not be solved at all if Republicans refuse to let us legislate. The distinguished minority leader raised questions about offering amendments to the aviation modernization bill. As I said several times yesterday, we welcome their amendments. We want them to offer amendments. We understand there is a Bunning amendment dealing with turning coal into aviation fuel. I don't know much about that, but it is something that appears to be germane and relevant to the bill. We should start to debate that amendment. But it appears no matter what I suggest, it is obvious the Republicans don't like this bill and are not going to let us pass it.

It is my understanding that today they are concerned about at least two provisions in the bill. One deals with strengthening the passenger rail system we have in America and also doing something about the depleted highway trust fund, which is leaving States with no money to do road repairs, construction, and modernization. If that is the case, it seems to me the logical thing to do is to offer an amendment to take those provisions out of the bill.

Long ago, when I was an assemblyman in the Nevada State Legislature, it didn't take long to understand that if you don't like something, just move to take it out. If you can muster the votes, that works. If your amendment doesn't pass, at least everybody knows you have tried. Here the Republicans don't even try. They want to just kill things by doing nothing.

I told my Republican counterpart that Democrats are making every effort we can to allow amendments to be offered. We welcome relevant amendments on both sides of the aisle. That is how the legislative process is supposed to work. I even offered to the Republican leader that we can sit down and let him help me be the gatekeeper of what amendments should be offered. That is fair.

Do I want to avoid amendments that have nothing to do with aviation? I don't even care much about that. I want to move this bill forward. The Republicans' obstruction and claims of unfair dealings are not reflective of the facts or reality. I made it clear that the amendment process will be fair, open, and take place in the light of day. This legislation is far too important to fall victim to the gamesmanship we are now seeing. Air travel is about getting from point A to point B, such as going from Las Vegas to San Francisco or from San Francisco to Chicago. That is what it is about—connecting to family and friends, getting goods to businesses, and connecting Americans to the global community.

The Federal Aviation Administration is facing challenges like they have never faced before. A record 770 million passengers flew on U.S. commercial airlines in 2007—nearly double the number who flew just 20 years ago.

If these trends continue, the FAA told us we will have 1 billion passengers in just 12 years.

Las Vegas-McCarran International Airport—the fifth busiest in America—now hosts 4 million passengers every month. At this rate, McCarran will reach maximum capacity in the next 3 to 5 years.

Every American who flies understands what this new congestion means: longer lines, more delays, and a more stressful, less efficient trip.

If growth in air travel in Nevada and throughout America is managed correctly, it represents a tremendous opportunity for airlines, tourism, and our economy. But the risks we face if we don't bring our aviation infrastructure up to speed are clear: Americans could be put at greater risk, our economy could suffer, and air travel could grind to a halt.

This Aviation Investment Modernization Act will help ensure that we manage this growing challenge. It will help passengers take off sooner, land safer, help commerce flow with fewer interruptions, and help carriers lower their fuel costs—which will save us all money.

The Aviation Investment Act will make air travel safer by upgrading aging airport infrastructure, enhancing oversight of airlines and the Federal Aviation Administration, and improving runway safety. There was an article within the past week that most airline accidents—the close calls—are on runways, not in the air.

Right now, the GPS in your car is more sophisticated than the system that guides your flight in an airplane. That is why this bill modernizes an obsolete air traffic control system with modern technology. That is why this bill requires airlines to give passengers better information about arrivals and delays. That is why the bill incorporates elements of the passenger bill of rights to protect consumers and deal with the most egregious flight delays and cancellations. That is why this bill does things that make air travel safer.

As Americans take to the skies in record numbers, they deserve to know the Government is doing everything possible to keep them safe. This legislation will give the American people that confidence. It will also make flying not only safer but less stressful, more efficient, and more enjoyable.

We must not let a crumbling infrastructure grind our economy to a halt. That is what it is doing.

I urge my colleagues, once again, to put politics aside, put obstruction aside, and work with us to pass the Aviation Investment Modernization Act.

Mr. President, if somebody wants to offer an amendment to this bill, they can come down and do that. They can play all the political games they want, saying: Senator REID filled the tree. This is something that is way inside the beltway, Mr. President. On this vehicle now before the Senate, people can offer amendments. All they have to do is come and give us an idea of what the amendment is. I have been in the Senate a long time, and it is no new theory that you would like to know what the amendment is. We always give our amendments to the minority and say here is what it is going to be. They should see it firsthand. This does not prohibit them from doing that.

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

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

MOTION TO COMMIT WITH AMENDMENT NO. 4636

Mr. REID. Mr. President, I move to commit the bill to the Finance Committee with the instruction to report back forthwith, with the following amendment, which I send to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada (Mr. REID) moves to commit the bill to the Committee on Finance, with instructions, with the following amendment:

The provision of this act shall become effective 2 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4637

Mr. REID. Mr. President, I send an amendment to the desk.

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

The amendment is as follows:

In the amendment, strike ''2'' and insert ''1''

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

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

SPENDING RECORD

Mr. GREGG. Mr. President, I rise to respond to some attacks relative to my integrity which were run today in a New York newspaper—I think it was the Daily News—which I presume were energized and orchestrated by the staff of the leadership—the Senate office of the senior Senator from New York. The editorial could not have had the fact pattern that it had, had it not been fed that information from the senior Senator's staff. So I think it is appropriate to respond to it.

It implies, obviously, that I am inconsistent in my views on how I approach spending in this Congress. I think that will come as a surprise to most people in this Congress because I doubt anyone in this Congress—I am sure there are a few—does not think my record in trying to control spending and having some resistance to spending which I feel is inappropriate is fairly strong.

As chairman of the Budget Committee, I tried to discipline spending. I tried to make our Government more affordable for our children. I tried not to pass on to our children debts which they should not have to bear so our children can have the opportunity to live as fulfilling a life and have as high quality a life as we have had.

There is in this bill a proposal to spend $1.6 billion on an air train to Kennedy Airport. That is not an aircraft issue. It is clearly an add-on. This proposal is, ironically, paid for using the Tax Code in a very ingenious way. It gives a credit to the State of New York, or the city, for taxes which they don't pay over a period of time, which is fairly extensive. I think it will run into the period 2020. That credit totals about $1.6 billion, $1.7 billion. It is, under any scenario—I did not use this term when I spoke about it first, but I will use it now—it is under any scenario an earmark, and not a very good earmark, to say the least.

The representation is that my opposition to this is an attack on the efforts of this country to address the very serious and legitimate and appropriate concerns of the city of New York that resulted from 9/11.

After 9/11, the people of New Hampshire and the people of this Nation were committed and remain committed to making sure the city of New York is made whole, to the extent it can be. Obviously, it could never be after such a horrific event. We in our State were happy to take our tax dollars and put them toward the city to try to address those problems, and I voted for that. And we in our State were happy to support efforts to rebuild and continue to be happy to support efforts to rebuild Ground Zero because that is a place which has taken on sacred meaning to our Nation. But we are not interested, in New Hampshire—and I suspect most American citizens are not interested—in using dollars which were supposed to be used for 9/11 to help out some other, maybe a legitimate need—but I don't know whether it is—in the city of New York, and that is building a train. I call it the train to nowhere. It is a bit of an exaggeration, but since I was trying to put it in the context of an earmark that was of a questionable purpose, that seemed like a reasonable term to use. That has become sort of like the term ''Xerox'' when you talk about an earmark about which you have serious questions. But building this air train to Kennedy Airport—by the way, I understand there is some significant disagreement within the city about whether it should even be built, but certainly it should not be on this bill as an attempt to basically get around an authorizing process or a process which would air whether this earmark is appropriate.

It should also not use a brand new exercise in tax policy, which is totally inappropriate, of basically using the tax laws in a way that creates an earmark by saying that you get a credit for a tax you don't even have to pay. That is very bad precedent—horrific precedent, quite honestly.

This earmark should see the light of day, and I don't think it can be defended on the grounds of 9/11. In fact, I think that really does serious damage to the historic and very human perspective of 9/11. To try to defend building an air train to Kennedy Airport and stand behind 9/11 as your reasoning, and then claim, in a way that is most inappropriate, in my opinion, if somebody opposes that proposal, they are attacking the memory and the purpose and the sacredness of the 9/11 event and the Ground Zero reconstruction, is just, even by New York standards of exaggerated politics, carrying it a step too far—more than a step too far, in my opinion. But that is what was done here.

An earmark was created for something which has only marginal relationship to even downtown Manhattan—I guess you have to get there from Manhattan, so I guess it has a relationship—certainly no nexus with Ground Zero from the standpoint of an air tram construction to Kennedy Airport. Using the tax laws in an abusive way to generate this earmark and then claiming, when anybody raises the question of the legitimacy of it, that they are somehow acting in a way that is inconsistent with the commitment to the rebuilding of New York after 9/11 and they are degrading the name of the 9/11 event is beyond the pale.

But that seems to be the goal, the style, and the approach of at least the people who fed the information to the paper—which I presume was the staff of the senior Senator from New York. Maybe it was not his staff. I would like him to come down here and deny it if it wasn't. I would like him to come to the floor and deny it if he didn't basically give this information and set the tone of this position because, very clearly, in my opinion, he has.

Let's return to the fact pattern as it exists. I will stop using the term ''train to nowhere'' because I can understand how that might irritate. I will accept that term was probably inappropriately applied. I will call it an earmark, a very questionable earmark for a lot of money which does not flow from the original commitment, in my opinion, to the rebuilding of New York—which the citizenry of America made and which we were happy to stand behind.

In fact, ironically, the plans for this train, this elevated train, were begun in 1998, and the actual commitments that this train would go forward, as I understand it, were discussed as early as 1988. The claim this is tied into Ground Zero is to extend credibility quite a bit, in my opinion. To hide behind that and use it in such a personal way which basically questions another Member's integrity is obviously inappropriate.

I think the Senator may have the votes to support his proposal to raid the Tax Code for $1.6 billion. Maybe he has the votes to do that. But it should not be on this bill. It is not an airplane issue. I can tell you right now, if I have anything to say about it, this bill is not going to move forward as long as it is on this bill.

It had not been my intention to engage at this level, but, as, you know, people from New Hampshire know how to play politics. We know how to deal in this Chamber as well as people from New York. We may be from the country, but we know how to engage. It appears engagement has been called upon, so let us go forward and see who is right, see who has the equities on their side, and determine whether the American people believe building a train which was designed in 1988, was committed to, I believe, in 1998, about which there is considerable discussion whether it should even be going forward, which is an elevated train to an airport in, I believe, Queens, is an appropriate use of $1.7 or $1.6 billion of their hard-earned income. Let's see what happens on that issue.

I yield the floor.

Mr. ROCKEFELLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ROCKEFELLER. Mr. President, I remember those days in West Virginia when all the major airlines operating large jet aircraft served all of West Virginia's airports—jets, actual jets coming into West Virginia. Airline deregulation was a terrible mistake. It changed the very nature of air travel in this country for all. For millions of Americans in large urban areas, it ushered in an era of affordable air traffic. A trip to New York and Los Angeles went down. In fact, at a number of points, it became much cheaper to go

to Los Angeles from New York than to go from West Virginia to Washington. But for West Virginia communities, it meant a loss of service and convenience and often higher prices. It seemed to me that the big jets disappeared from West Virginia within days of deregulation. I remember those nice American, United, and Eastern jets sitting out there on the tarmac, people piling on. Deregulation—boom, they were gone.

For 30 years, small and rural communities have had to cope with very limited and unreliable service. The Presiding Officer knows exactly what I am talking about. Over the last several years, these problems have been exacerbated by the weakened financial condition of the U.S. airlines, which is what this whole effort to get a bill going is about.

After September 11, dozens of communities saw a dramatic decrease in the level of air service. It was measurable, noticeable, and depressing. Many lost service altogether. As the industry recovered from the dramatic downturn in the air traffic that tragic day sparked, small communities did not see the benefits of that resurgence because once they dropped something, it was easier to keep it dropped rather than to help.

Small community air service is facing an unprecedented crisis. If we fail to act to address this problem, dozens of small communities across our Nation will face a future without air service. Consider that for a moment—small communities, viable industries, institutions, people who count. Americans are born equal, but then some don't have air service. That is what we have now. Without access to reliable air service, we throw into question their economic future.

I do not come to the Senate to represent the diminution of possibilities for West Virginia's economic future. I have spoken about the weakened financial condition of our major airlines. But we must also recognize that small regional carriers that provide the air service to rural States such as West Virginia and Montana and parts of Ohio, I am quite certain, also provide the vast majority of air service to midsize communities across the country, and they are teetering on the brink of collapse because of high fuel prices.

As Senator BAUCUS knows all too well, small airlines across the West have folded, leaving at least 17 communities with no air service at all. Seventeen communities would sort of make up the entire State of West Virginia. That is a terrible blow. So few regional airlines are willing to initiate service to small, isolated communities that, when one withdraws service, it is very hard to find replacement air service. In most cases, it is impossible. Hundreds of small and rural communities across our country are facing drastically reduced air service because of this financial turmoil in the industry. Even in the best of times, these communities face a difficult time maintaining and developing new air service options. Today, their challenge is preventing the complete loss of air service. That is effort No. 1: Hold on to whatever you might have. No matter if it is one flight a day, hold on to it. Fight for it.

I strongly believe the Federal Government must continue to assist our most vulnerable communities stay connected to the Nation's aviation network, a network paid for by all Americans.

The reduction or elimination of air service has been devastating in terms of its effect on the economic well-being of many of our communities across the country. Having adequate air service is not only a matter of convenience, it is a matter of economic survival. Without access to reliable air service, businesses will not locate their operations in these areas of the country, no matter how attractive the quality of life or the quality of the workforce. We have, for example, extremely low housing prices, low property taxes, and an extraordinarily highly productive workforce, with an average in manufacturing of 1 percent annual turnover. That is almost unheard of. Airports are economic engines that attract critical new development opportunities and the people who can make those things happen or continue to grow.

West Virginia is a very good place to do business. Toyota and a number of other large industries, chemical and otherwise, have found that out. I can proudly state that countless large U.S. and international companies have facilities in my State. I can even point out that 20 Japanese companies have industries in the State of West Virginia, three in Wayne County, which the Presiding Officer is familiar with. From West Virginia, a business traveler can get to seven airline hubs and from these seven cities can get to any point on the globe. One-stop service to Tokyo, London, Dubai is critical if my State is going to compete in the global economy. West Virginia has been able to attract firms from around the world because corporate executives know they can visit their operations with ease. That is why we have air service. Rural and smalltown America must continue to be adequately linked to the Nation's air transportation network if its people and businesses are to compete with larger urban areas and around the world.

When Congress deregulated the airline industry, we promised small and rural communities we would make sure they would remain connected to the aviation system. We have failed in our commitment to those promises. The Essential Air Service Program, which Congress established when we deregulated the airline industry, is not a huge program, but it provides money to attract airlines into smaller communities and is incredibly valuable.

But, on the other hand, the essential air service has never met the true needs and expectations of rural air service or the necessary requirements of rural air service.

In West Virginia, the essential air service has often been plagued by high fares and limited, sporadic service. For 10 years, I have worked to strengthen small community air service. I do that because I represent a rural State with hard-working people who have an enormous desire to succeed and to work and are deprived of what many other Americans take for granted. That is not fair in Internet connection; you cannot have a rural and urban divide. It is just as true in airline service; you cannot have urban doing well, rurals being left out because we are all Americans, all created by God to be equal.

So I have worked to strengthen small community air service. In the Aviation Investment and Reform Act for the 21st Century, which Congress enacted into law in the distant past of the year 2000, we began to address the need to improve air service in small and rural communities.

I, along with many of my colleagues, supported the creation of something called the Small Community Air Service Development Pilot Program, a competitive grant program to provide communities with the resources they needed to attract new air service to their town. We try everything we can. We try absolutely everything we can. Over 100 communities now have used these grants to secure and retain new air service options. That is good.

I wish to highlight two success stories which happened in my State. Charleston received money under the program I have described and has used it successfully—Charleston is our capital—they have used it very successfully to attract a new service connection for our chemical industry to Houston. Why is that important? Well, our chemical companies do a lot of the training of their people in Houston and then they come back and they work in our chemical companies. Air service to Houston gave West Virginians an important gateway, in addition, therefore, to the markets of Latin America.

Over the past 2 years, Tri-State Airport in Huntington has been reborn because of the money it received under this Small Community Air Service Development Grant Program. Prior to attracting a low-cost charter operator, the airport had seen a steep decline in the number of passengers using the airport. With fewer passengers, airlines cut back flights. Fewer flights meant fewer passengers. It was a death spiral.

Once the community was able to secure a grant, matched with almost as many local dollars, airport officials were able to attract a new carrier that served the critical markets local residents wanted. For the first time in 20 years, large jets roared off the runways in West Virginia, in Huntington. The airport will have 100,000 passengers pass through its gates for the first time in decades.

Now, that is not very impressive if you are from New York or Los Angeles,

but in West Virginia it shakes the world, and it gives people new hope. I was there when all this happened, and you could see a new sense of vigor and determination in the population. Air service attracts community ambition.

Improving air service must be a collective effort. Communities are most successful in creating new air service options when everyone—including the Federal and the State governments, airports, airlines, businesses, and citizens—works together to attract, promote, and use the service.

One of the things we learned the hard way in West Virginia was you cannot treat an airport similar to something which is out there which people will automatically go to. We used to have a lot of our people from Charleston driving all the way to Cincinnati and actually not understanding that the cost of traveling to Cincinnati and the fuel and the overnight and all the rest of it actually did not give them that much of a financial break, but they looked at the cost of the airline and off they went. So 16 percent of Charleston's traffic disappeared.

I am now proud to say West Virginia communities have been able to use this important program to rethink their air service needs, to think about marketing airports. You market airports like you market anything else. People have to be aware of it. You have to attract people to it. It is not something which is there. It is something which has to sell itself. LaGuardia does not have to do that. Newark does not have to do that. In West Virginia, we have to do that, and we are doing that.

The FAA bill that is before us extends the authorization for these important programs for 4 more years.

Four West Virginia commercial airports rely solely upon the Essential Air Service program for any service at all. We are extending that and enlarging the amount. No community wants to be dependent on essential air service. It is not a badge of honor. But it is a fact of survival. But for many, it is their only option to maintain air service.

But as I mentioned earlier, the program has not met the needs of many communities. In 2003, as part of the last FAA reauthorization bill, I created a number of new voluntary pilot programs for essential air service communities. I modeled these initiatives after the Small Community Air Service Pilot Program by focusing on incentives rather than punitive approaches.

Under this new plan, a community could receive funds to develop its own marketing plans rather than rely on the airline for one. It could use funds to increase service levels, opt to use different types of aircraft or investigate the use of alternative transportation service. In other words, it said: What is our problem? What are we going to do about it? We cannot wait on other people. We have to make these decisions ourselves. We are doing that in West Virginia.

This year, we have added a number of provisions to strengthen the Essential Air Service program. We have increased the authorization level for the program by $58 million to $175 million a year. We have included provisions to help carriers that provide the essential air service so they can meet the cost of high fuel. It is essential. We have increased the flexibility of the program even further so communities can work with the Department of Transportation and air carriers to find air service that works for them.

Small and rural communities are the very first to bear the brunt of bad economic times. It has always been so. It shall always be so. The Presiding Officer knows exactly what I am talking about. We are always, in West Virginia, at the end of the food chain on everything. We understand that. We do not like it, but that is our current destiny, and so that is why we have to fight harder and try to be more imaginative.

The general economic downturn and the dire straits of the aviation industry have placed exceptional burdens on air service to our most isolated communities. The Federal Government must provide additional resources for small communities to help themselves attract air service. If you have to do the work yourself, you do it. You just do it. The Federal Government must make sure our most vulnerable towns and cities are linked to the rest of the Nation. It is an easy statement to make, but it is a huge statement. We have an obligation in this country to make sure all of our communities and our people are linked to the broad air service opportunities, hubs and spokes. It has to happen.

My legislation builds on existing programs and strengthens them. We must continue to provide our constituents the tools and resources necessary to attract air service, and we are doing that.

So, in closing, I should say a subsidy alone does not solve the problems of small community air service. If our constituents do not use that service, or the airlines take it away—airlines cannot operate unprofitable flights or flights that are marginally profitable, for which they could do better elsewhere. They make a little bit of money or they do not make a little bit of money, and they are gone because their situation is so dire.

I do not know what the future of the U.S. airline industry will look like in 6 months, but our Nation needs a strong airline industry. Our communities need to be connected to the aviation system.

That is why we are going through this most extraordinary exercise of no amendments to be voted on, a good deal of time to sit and talk, a great deal of frustration. But we are trying to pass something called the Federal aviation bill that will provide service to our people. If there is anything in the national interest, it is that. I will not go so far as to say it is more important than the interstate highway system, in terms of economic development and also reaching out to the world, which all our States need now to do on a two-way basis.

So we fight. We continue to fight.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Georgia.

Mr. ISAKSON. Madam President, while the distinguished Senator from West Virginia is on the floor, I wish to, first of all, commend him for his efforts on behalf of aviation in the United States. I associate myself with his remarks about rural and underserved areas. I associate myself with all the remarks he made in support of our aviation system.

I am one of those people who are frustrated with our inability to deal right now with amendments. I understand a substitute was offered last night and the tree was filled so there are no germane amendments that were—the amendments that were filed yesterday are no longer germane; am I correct?

Mr. ROCKEFELLER. Madam President, I say to my good friend, the Senator from Georgia, things have changed a bit this morning and decisions are being made on that side of the aisle that will determine whether we can move forward. I am hopeful about that process.

Mr. ISAKSON. Madam President, in the hopeful event we can move forward, I wish to, for a minute, with the distinguished Senator, make him aware of an amendment I submitted yesterday but is not pending. It cannot be pending right now. I agree with the Senator entirely on the importance to the American economy of U.S. aviation. In the bill they put out, there is one element that was not addressed that I think should be.

On December 31 of this year, the United States providing terrorism insurance to the airlines sunsets. If it is, there will be no access to terrorism insurance by U.S. domestic carriers because the only private insurers that will offer terrorism insurance offer it with an advanced cancellation provision, which basically means if we went to a code level orange or a code level red, the insurance company in advance of a terrorist attack could actually cancel the insurance. So the aviation industry would be without insurance.

Our competition in Europe does not have that problem. They still have private insurance available for coverage of aviation terrorism. I submitted an amendment yesterday that would extend the date of December 31 of this year—which is the expiration date—to make it December 31, 2011, so airlines can continue to pay the U.S. Government for insurance against terrorism.

If my understandings are correct, those premiums totaled $160 million in the last year and are a revenue source to the United States of America, as it should be. We should not be providing it without cost.

So I would hope, when the meetings that are going on are concluded, and if

we can get back to the base bill and if amendments again become relevant, that the distinguished Senator from West Virginia, the Senator from Alaska, and the others who have worked so hard on this legislation will look favorably on an extension of terrorism insurance availability to domestic U.S. carriers.

With that, Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. 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. ROCKEFELLER. Madam President, I say also to my very dear friend from Georgia with whom I have a long and wonderful background because of his strong reaction to our plight in West Virginia with the coal miners—he doesn't have coal in his State but he came into our State and adopted it as his own and we adopted him.

I also wish to tell him that what he is suggesting is something I very much support.

AMENDMENT NO. 4642 TO AMENDMENT NO. 4637

Madam President, I believe there is an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes an amendment numbered 4642 to amendment No. 4637.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment, strike ''1'' and insert ''3.''

Mr. WYDEN. Madam President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

HEALTHY AMERICANS ACT

Mr. WYDEN. Madam President, there is now an historic coalition here in the Senate, a group of 14 Senators. Seven Democrats and 7 Republicans are sponsoring a health bill guaranteeing all Americans quality, affordable health care coverage. There has never been such a coalition in the history of the Senate.

Today our group got some historic news. The Government's go-to officials for budgeting and taxes have thrown decades of conventional wisdom into the trash can. They have informed our group that all Americans can have quality, affordable health care coverage without breaking the bank.

Briefly, here is what the Congressional Budget Office and the Joint Committee on Taxation have found. They found that our legislation, the Healthy Americans Act, can be up and running in 2012. They found the legislation would become budget neutral in 2014. That means our legislation is self-financing in the first year that universal health care coverage would be fully implemented in our country. In the years after 2014, because the legislation holds down health cost increases, it starts to generate budget surpluses for the Federal Government.

This analysis is fresh, independent evidence that health care can be fixed without massive tax increases or boatloads of additional Government spending. It is a chance, in my view, for Congress and our country to look at the issue of health care reform with fresh eyes, because what the Congressional Budget Office and the Joint Committee on Taxation have analyzed doesn't involve a set of lofty principles or some of the oratory from the campaign trail, but it is actual legislation.

Because this report is a historic document, I ask unanimous consent that the letter dated today from the Congressional Budget Office and the Joint Committee on Taxation be printed in the RECORD. The report is available on the CBO Web site www.cbo.gov.

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

MAY 1, 2008.

Hon. RON WYDEN,
U.S. Senate,
Washington, DC.
Hon. ROBERT F. BENNETT,
U.S. Senate,
Washington, DC.

DEAR SENATORS: At your request, the staffs of our two organizations have collaborated on a preliminary analysis of a modified proposal for comprehensive health insurance based on S. 334, the ''Healthy Americans Act,'' which you introduced last year. That modified proposal includes various clarifications and changes that you have indicated you would like to examine as part of the consideration of that bill. Attachment A summarizes our understanding of your modified proposal.

The staffs of the Congressional Budget Office (CBO) and the Joint Committee on Taxation (JCT) have worked closely together for the past several months to analyze your modified proposal; this collaboration reflects both the novelty of the undertaking and the intimate connection between the revenue and expenditure components of this proposal. We have summarized our conclusions in this joint letter; its purpose is to give you preliminary guidance regarding an approximate range of revenue and cost results that might be expected from your modified proposal. This joint letter does not constitute and should not be interpreted as a formal estimate of your proposal's budgetary impact, which—for the purposes of scoring under the Congressional Budget Act—would ultimately be provided by CBO and would incorporate revenue estimates prepared by the JCT staff.

The basic thrust of your modified proposal is to require individuals to purchase private health insurance and to establish state-run purchasing pools and a system of Federal premium collections and subsidies to facilitate those purchases. The system's premium collection and subsidy mechanisms would be based largely on income tax filings, and the required benefits would initially be based on the Blue Cross/Blue Shield standard plan offered to Federal workers in 2011 and then allowed to grow at the rate of growth of the economy. Although employers would have the option of continuing to offer coverage to their workers, nearly all individuals who were not enrolled in Medicare would obtain their basic health insurance coverage through this new system. Most enrollees in Medicaid and all enrollees in the State Children's Health Insurance Program (SCHIP) would have their primary insurance coverage shifted to the new system.

Your proposal also would replace the current tax exclusion for employer-based health insurance premiums with a fixed income tax deduction for health insurance. (In addition, employers that had provided health insurance would be expected to ''cash out'' their workers—that is, to increase workers' wages by the average contribution that the employers would have made for their health plan.) The proposal also would require new tax payments from employers to the Federal government and further would seek to recapture the savings to state governments from reduced expenditures on Medicaid and SCHIP.

There are several important distinctions between the proposal we analyzed and S. 334 as it was introduced. For example, our analysis was limited to the operation of the new health insurance purchasing system and did not take into account most of S. 334's provisions regarding the Medicare program or other provisions that would not directly affect the new system. More fundamentally, the modified proposal would tie the premiums collected through the tax system—as well as the premium subsidies for lower-income households—to the cost of the least expensive health plan available in an area that provided required benefits, not to the average premium amount, as under S. 334. Furthermore, the value of the new tax deduction would not vary with the premium of the insurance policy that was actually purchased, and the schedule of employers' payment rates would range from 3 percent to 26 percent (rather than 2 percent to 25 percent) of the average premium. Attachment B describes in more detail the main differences between your modified proposal and S. 334.

The preliminary analysis reflected in this letter is subject to three important limitations. First, the staffs of both JCT and CBO are in the process of enhancing our capabilities to estimate the effects of comprehensive health care proposals. Improvements in our methodologies or more careful analysis of your modified proposal's provisions—particularly as you translate those concepts into formal legislative language—could change our assessment of its consequences.

Second, any formal budget estimate will reflect the macroeconomic assumptions and the baseline projections of current-law tax and spending policies in effect at the time it is issued. That baseline could differ materially from today's baseline.

Third, we focused our analysis on a single future year in which the proposed system would be fully implemented. For that purpose, we settled on 2014, the sixth year of the current 2009–2018 budget window. Under an assumption that the proposal is enacted in 2008, that timeline for full implementation seems to us to be achievable but could be optimistic, as we expect that it would probably take until 2012 for the new system to begin operation, and several years after that for various phase-ins and behavioral adjustments to take place. The new system would involve temporary net budgetary costs in its initial years; we have not analyzed the magnitude of those early-year transition costs.

Overall, our preliminary analysis indicates that the proposal would be roughly budget-

neutral in 2014. That is, our analysis suggests that your proposal would be essentially self-financing in the first year that it was fully implemented. That net result reflects large gross changes in Federal revenues and outlays that would roughly offset each other.

More specifically, under your proposal, most health insurance premiums that are now paid privately would flow through the Federal budget. As a result, total Federal outlays for health insurance premiums in 2014 would be on the order of $1.3 trillion to $1.4 trillion. Those costs would be approximately offset by revenues and savings from several sources: premium payments collected from individuals through their tax returns; revenue raised by replacing the current tax exclusion for health insurance with an income tax deduction; new tax payments by employers to the Federal government; Federal savings on Medicaid and SCHIP; and state maintenance-of-effort payments of their savings from Medicaid and SCHIP. Attachment C provides more information about the approximate magnitudes of those components.

For the years after 2014, we anticipate that the fiscal impact would improve gradually, so that the proposal would tend to become more than self-financing and thereby would reduce future budget deficits or increase future surpluses. That improvement would reflect two features of the proposal. First, the amount of the new health insurance deduction would grow at the rate of general price inflation and thus would increase more slowly than the value of the current tax exclusion.

Second, the minimum value of covered benefits that all participating health plans had to provide would initially be set at the level of the Blue Cross/Blue Shield standard option offered to Federal workers in 2011 (we assume that the system's inaugural year would be 2012); but under your proposal that average value would from that point forward be indexed to growth in gross domestic product per capita rather than growth in health care costs. Because Federal premium subsidies would be based on the cost of providing that level of coverage, the cost of those subsidies would grow more slowly over time.

We hope this analysis is useful to you. Not surprisingly, a number of uncertainties arise in attempting to predict the effects of such large-scale changes to the current health insurance system. Although we have provided a range of results that reflect our current expectations about likely outcomes, actual experience—and the results of a formal cost estimate—could differ substantially in either direction. If you have any questions about this analysis, please do not hesitate to contact us; the staff contacts are Pam Moomau and Nikole Flax for JCT and Philip Ellis for CBO.

Sincerely,

PETER R. ORSZAG,
Director, Congressional Budget Office.
EDWARD D. KLEINBARD,
Chief of Staff, Joint Committee on Taxation.

Mr. WYDEN. Madam President, I wish to touch on a few points with respect to this report. Obviously, the key to fixing health care is to contain costs. Our bipartisan legislation does that by making sure all Americans have more clout in the marketplace. We achieve that by making sure that everyone goes into a big pool, because if they are off by themselves, they don't have a lot of ability to get the best deal for their health care dollar. But if they belong to a bigger group, they have a lot better chance of containing costs. We cut the administrative costs of health care. We use a State and regional pooling approach that has been found to cut administrative costs. We get patients out of unnecessary hospital emergency room visits because more would get seen on an outpatient basis. We make progressive changes in tax law and we empower consumers, because for the first time, if they have employer-based health coverage, they could actually find out what is being spent on their health care. Right now, basically all they know is they are not seeing their wages go up because health care costs are eating up all of the employers' resources. We think making sure that the worker knows what is being spent on health care provides them a new set of opportunities to get more for their health care dollar.

My view is that today's health care system is largely driven by employers and insurance companies. Clearly, there is a significant role to play for them. But what we do in our legislation is provide a bigger role for individuals and especially their health care providers—the thousands of doctors and nurses and physician assistants. We make sure that everybody under our legislation could have a health care home. So instead of being lost in an incredibly complicated health care system, there would be one person who would coordinate each individual's care.

A big part of what we are doing in this bill is to modernize the employer-employee relationship in the health care field. What we are doing in 2008 in health care as it relates to employers and employees isn't much different than what was done in 1948. The Chair can remember all of the efforts of President Truman to make changes in American health care. So we modernize that relationship. We continue to let employers who choose to offer coverage, but we give the workers more choices with respect to their health care and we give the employers much needed cost relief, which is especially essential at a time when they are competing in tough global markets.

I want to mention all of my colleagues who are sponsoring this legislation with me. Senator BENNETT of Utah, a member of the Republican leadership, is the principal cosponsor. Senator BENNETT's knowledge of economics, in my view, has few equals and I could not have a better partner for this whole effort. We have seven Democrats and seven Republicans who are on the effort. I am particularly pleased that so many from the Senate Finance Committee, where Senator BAUCUS and Senator GRASSLEY have worked in a bipartisan tradition for years, are part of our effort. From the Senate Finance Committee we have Senator GRASSLEY and Senator CRAPO and Senator STABENOW cosponsoring the legislation, all of them making a great contribution in this area.

As we go forward in the days ahead, Senator STABENOW's expertise and interest, particularly in health information technology, is going to be instrumental. For example, Dr. Orszag, the director of the Congressional Budget Office, who brings great professionalism to this effort to look at health care, this morning when he briefed eight of us in the Senate on the legislation, mentioned the fact that the evidence suggests as much as 30 percent of the health care dollar is spent in a fashion that produces very little value. So what Senator STABENOW is trying to do with health information technology, electronic medical records, and other innovative approaches is to wring more value out of every health care dollar. Her contribution is so very important.

Senator GRASSLEY and I have worked together on many health care issues. Of course, the partnership we have on the Finance Committee between Chairman BAUCUS and Senator GRASSLEY is a very rare and a very beneficial alliance here in the Senate, and I so appreciate Senator GRASSLEY's involvement.

Senator CRAPO is my partner in the West who has a great interest and longstanding involvement in rural health care, and we are very pleased that he is an additional voice on the Senate Finance Committee for the legislation.

I would also like to credit the other Senators who are involved. We are very pleased that Senator LANDRIEU, who is helping to reinvent health care in her State as a result of destruction caused by Hurricane Katrina and all of the challenges they face, has been particularly interested in and creative in thinking about opening up new opportunities for entrepreneurship in her State and elsewhere. Senator LANDRIEU correctly points out that if you modernize the employer-employee relationship in health care, that is going to mean we are going to have more entrepreneurs. It is going to be good for business. It is going to be good for our economy. We are going to be able to grow our economic base in the country. Senator LANDRIEU argues very eloquently, in my view, that if you provide some cost relief for the employers who got into the business of driving health care by accident in the 1940s, you are going to be able to create jobs and strengthen our economy.

Senator NELSON, a former insurance commissioner, is one of our cosponsors. He has great expertise in insurance regulation. In fact, he pointed out this morning some of the tools that are going to be necessary to prevent price gouging in health insurance and is making a great contribution there.

Senator LIEBERMAN has a long-standing interest in this and is a cosponsor. Of course, his involvement is particularly critical because his State is a center of health insurance and technology and there are a variety of major economic concerns involved.

We are very glad to have Senator GREGG, who is the ranking member on the Budget Committee and a driving force on keeping down health costs to make health care more affordable and available to all. We're also pleased to have the support of Senator INOUYE, who as chairman of the Defense Appropriations Subcommittee, has shown his leadership in health care research for our soldiers and sailors with benefits for all Americans. We also appreciate the support of Senator CORKER, who has been a leading advocate for reforming the tax code to make health insurance more available and affordable. And we're grateful for support from Senator COLEMAN, who has the world renowned Mayo Clinic in his state and himself has been a leader in the area of health technology. And we are especially pleased to have the support of two former governors, Senator CARPER and Senator ALEXANDER. The Healthy Americans Act gives a major role to the states in reforming our health system and it's critical to have the support of Senators with the knowledge of state government and executive leadership experience they have supporting our legislation. It is a group unlike any other we have seen in the history of the Senate. Fourteen Senators—seven Democrats, seven Republicans—actually cosponsoring together a piece of legislation that will guarantee all Americans affordable, good quality coverage.

This legislation ensures that all of our people have choices such as we have here in the Congress. We have choices among a number of very good private sector packages. It ensures that coverage for the first time will be portable. You can take your coverage from job to job to job, which is something that millions of Americans desperately want.

It is our future. The fact is that today, by the time you are 35 years old, you are likely to change your job 7 times. Yet the system almost locks you into your present position. You cannot move. You cannot go to another opportunity. I think to have a portable health system where you can take your coverage from job to job to job and not worry about losing your coverage if you want to take a promotion or start your own business is particularly important.

The best part about it is that the Joint Committee on Taxation and the Congressional Budget Office have said this can be done in a revenue-neutral way.

We have had a number of Senators involved who have longstanding credentials in terms of being tougher on budgets and concerned about fiscal discipline. Now, the Joint Committee on Taxation and the Congressional Budget Office have said that, contrary to popular wisdom that universal coverage is going to break the bank and require tax hikes and new spending, it can be done in a budget-neutral kind of fashion.

Finally, I want to add since I think I really didn't do him justice earlier—Senator INOUYE has been a wonderful addition to our group. He and his staff have had a great interest in looking at a number of health reform issues, particularly ones that make better use of our workforce, focused on prevention and quality. We are thrilled to have him as well.

Madam President, I note that one of our colleagues has come to the floor. I will wrap up simply by saying that I think the entire Senate should be very grateful for the outstanding work done by the Joint Committee on Taxation and the Congressional Budget Office, led by Peter Orszag and Edward Kleinbard. Those two organizations have never issued—in the history of their organizations—an analysis like the one they made available today. Never in the history of the organizations has there been such an analysis.

I submit that if there had been an analysis like this done the last time the Congress debated universal coverage back in 1993 and 1994, if there had been a report like this one from the Congressional Budget Office and the Joint Committee on Taxation, they could have moved forward on a bipartisan basis to actually pass legislation, see it signed into law, and end the disgrace that a country such as ours, which is good and strong and talented, hasn't been able to fix American health care.

This time, I think we are up to it. Senator BENNETT and I have kept apprised the leadership in the Senate on both sides of the aisle. It is our determination to work with colleagues of both political parties. We intend to work with the Presidential candidates. I have talked with Senators CLINTON and OBAMA many times about the Healthy Americans Act. I talked to Senator GRAHAM last night about the Congressional Budget Office briefing. We know of his involvement with Senator MCCAIN. If you are going to deal with a big, important issue, it has to be bipartisan.

Today, the Congressional Budget Office and the Joint Committee on Taxation have made a significant contribution to our effort to move forward and actually enact universal health coverage that works for all Americans. We are indebted to their organizations.

I am particularly grateful to colleagues who have joined as cosponsors in this effort. Senator BENNETT and I will continue to work with colleagues like Senator BAUCUS, Senator KENNEDY and others over the next 6 or 7 months so that this can be ready to go for the next President of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Madam President, what is the current state of the floor?

The PRESIDING OFFICER. The Senate is considering H.R. 2881.

Mr. CRAIG. Madam President, I ask unanimous consent that I be allowed to speak as in morning business.

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

(The remarks of Mr. CRAIG pertaining to the introduction of S. 2953 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, the statement by the Senator from Idaho with regard to the need for drilling has been articulated by a very respected columnist, Robert J. Samuelson, who recently wrote his column, published in the Washington Post, that in essence said we ought to put oil rigs off the protected shores of Florida and in the preserved wilds of Alaska.

Once again, we are going to hear statements such as that of the Senator from Idaho and read statements in the written press by Mr. Samuelson as gas prices are hitting record highs. We are going to see the renewed push by the Bush administration and by the oil industry to drill in areas that are protected, such as the Gulf of Mexico off Florida, as articulated by the Senator from Idaho, as well as the area known as ANWR, which is in the preserved wilderness of Alaska. Drilling right away in environmentally protected areas was the centerpiece of Mr. Samuelson's solution to the rising gas prices.

There is not one of us in this Chamber who does not want to do something about those gas prices. What Mr. Samuelson said in his column was that to oppose drilling in those protected areas—as indicated also by the Senator who has just spoken—to oppose drilling in those protected areas, he said, is sheer stupidity. And he said further it is a ''prejudice against oil companies.''

That is the same thing the oil companies say every time there is a spike in prices. They have their long-term remedy that would expose these wilderness areas, and Florida's beach and tourism-driven economy, our areas of an environmentally sensitive nature, as well as the military interests I asked the Senator from Idaho to acknowledge, and they would put all that at risk. It is these same oil companies that are now, because of the high price of gasoline, going to make another end run—very possibly next week—and try to bust the ban, the longstanding ban on coastal drilling. Of course, they are going to cite what they do every time the oil prices spike high. They are going to cite the high gasoline prices.

I am basing my predictions of what is going to happen in the next couple of weeks, I am basing this assertion on the oil industry's track record and on the comments made Tuesday by the President, renewing his call for drilling. I am basing it on the suggestions we see in this newspaper column.

In advance of this likely new assault, this Senator wants to make clear oil that is still deep in the ground has no direct link—none—to today's pump

prices. Any oil in the ground will not be in the marketplace for another 10 years. More important, no matter what anybody says or what anybody writes, the United States only has 3 percent of the world's oil reserves while the United States consumes 25 percent of the world's oil production. In other words, it is, to use Samuelson's term, ''sheer stupidity'' to think the United States can somehow drill its way out of the energy crisis.

We are a nation that is hooked on oil. Drilling along the Florida shore or in wildlife preserves will not break the habit. By the way, one of the main reasons oil prices have gone up so sharply in recent years is the volatility of major producer nations, such as Iraq and Iran—not even to mention Venezuela and Nigeria. History reflects similar spikes, circa 1973, when we had an OPEC oil embargo related to a war in the Middle East; then again in 1979 with the Iranian revolution; again in 1990 with Iraq's invasion of Kuwait and the first gulf war; and again, since 2003, with the war in Iraq, concomitant with increasing Asian demand.

The common denominator in all these spikes is they are fueled by the subsequent increase in oil speculation. The common denominator is trouble in the Middle East and especially in Iraq and Iran. More drilling along protected U.S. coasts, in bays and harbors and in the pristine wilderness of Alaska, will not stabilize Iraq and it will not guarantee Saudi Arabia's long-term friendship. Nor will it end the unregulated speculation that has driven the price of oil to more than $118 a barrel when the price should have been no more than $55 a barrel, based on present supply and demand, according to an industry leader's testimony before Congress. That means the law of supply and demand has been broken and we are paying at least $63 per barrel over and above what supply and demand would produce—a price of $55. We are paying that extra $63 per barrel to enrich investment bankers, speculators, and oil companies.

As Mr. Samuelson says in his column: ''What to do?''

The U.S. failed in the 1970s to enact a real energy program to get us off oil. The result is it is Brazil that runs on ethanol today—not the United States. Germany leads the world in solar power, not the United States. In the meantime, oil companies are awash in record profits, more than $155 billion in profits alone last year, at the same time not spending enough on refineries or alternative energy, while guess who is getting it in the neck: the consumers at the pump.

Then, even worse, it took the United States more than 30 years to raise mileage standards on cars and trucks to a paltry 35 miles per gallon, something that will not even be in effect until the year 2020. And is it not interesting that most of Europe and the cars U.S.-based manufacturers sell there already average 43 miles per gallon, and in Japan the cars are approaching 50-miles-a-gallon.

In other words, we are wasting, flat out wasting billions and billions of gallons of oil. So, again, what are we to do? Well, about half of the oil we consume goes into transportation, and it should not take a rocket scientist to realize that is where we ought to focus. So, first, if we start to enact serious conservation measures, and things such as a 40-miles-per-gallon mandate for the fleet average of our personal vehicles, and if we provided greater tax breaks for hybrid cars, and ultimately hydrogen-powered and electric-powered cars, then we are going to start making a difference.

Second, the Government, our Government, led by our next President, is going to have to enact and subsidize a national energy program to transform us from our energy dependence on oil, especially foreign oil, to alternative and synthetic fuels to power much of the transportation sector.

Members of the Senate, it has been done before. Remember in the 1960s, President Kennedy led us to conquer the bounds of Earth, to go to the Moon and return, and all of that occurred within a decade. So we have got to act with the same urgency. And while we are at it, we are going to have to make ethanol, ethanol that we will make from things we do not eat so we do not reduce our food supply.

While we are at that, we are also going to have to pay attention to how we power not only our cars and our trucks, but our homes and our industry. We are going to need to develop solar, wind, thermal energy, and hydroelectric. And who knows the advances of technology in harnessing renewable energy sources. We are going to have to look for electricity that is from safer nuclear power.

Now, this is what our Presidential candidates ought to be hearing and ultimately before this election they ought to be making a pledge to the American people that they are going to do this. In the 10 years going forward that it would take to bring in new oil rigs fully to market, in that 10 years, if we are good stewards of what we have, we will have conserved more oil than we ever get out of the ground, and we will be mostly free from foreign oil by enacting this energy plan.

Our future will not be realized by looking backward to the short-term polluting and dirty energy solutions of the last century, solutions they still offer for the future, solutions by people who do not want to change their ways, such as oil companies.

So should we start drilling right now in very environmentally sensitive areas? To use Mr. Samuelson's words in his column, ''That is sheer stupidity.''

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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. SCHUMER. Mr. President, I rise to speak about the provision related to the New York liberty zone that appears in the FAA reauthorization bill. A few of my friends on the other side of the aisle have called this provision an earmark. They have called it a fund to create a train to Kennedy Airport, even though that is not even mentioned in the legislation.

I wish to fill in on the facts. First, after the devastating attacks of 9/11 which scarred my city and our country, Congress and the President generously agreed to provide $20 billion in assistance toward the rebuilding of lower Manhattan. It was a promise the President made to me and Senator CLINTON the day after the attacks. It is a promise that, to his everlasting credit, the President has kept and has never wavered from. The President understood, I think all of my colleagues understand, what happened in New York. But we still live with the scars. That downtown has not recovered. There are fewer square feet of office space today than there were then in downtown. And the families who lost loved ones still grieve every day, as does just about every New Yorker.

There has always been talk about wearing flags. I put this flag on my lapel on 9/12/2001. I have worn it every day since and, God willing, I will wear it every day for the remainder of my life in remembrance of what has happened.

Now, of the $20 billion, the money was divided for various purposes. Some, of course, was to help the families who have lost loved ones. Some was for the cleaning up of the World Trade Center site. It was a massive undertaking—to visit the rubble a day later, to smell death and the burnt flesh in the air, and then to realize that people, not only from New York but from around the whole country came to help us help heal those wounds.

Some of the money was put aside specifically so that downtown would recover; incentives to bring business back and money for transportation, because the entire subway nexus had been destroyed. At that point in time, people worried that people would desert downtown and never come back.

New Yorkers, through efforts and valiance, have struggled, and so that is how the $20 billion came about. Was any part of the $20 billion an earmark? Is there any reason to equate it with a bridge to nowhere? Please. Please, my colleagues, I do appreciate that my friend from New Hampshire—I do consider him my friend—has retracted that specific statement. But to call the $20 billion, or a significant part of it, an earmark is unfair labeling, to be kind. Or the tax preferences for the gulf opportunity zone after Katrina,

were they earmarks? They were a benefit, a large benefit, designated for a specific region. When we help a disaster area, is that an earmark? No. And all the hallmarks of earmarks done for only one member, slipped in in secrecy, none of that applies here.

In fact, this exact proposal is in the President's budget this year in the light of day for all to study because the President himself, as I said, has kept his word. Has it been done secretly? Obviously, no. This provision has been around for a while.

As I will show in a few minutes, many of my colleagues who oppose it now have voted for it in other legislation. Why has New York had to wait so long for this provision? It is because it has passed the House a couple of times, it has passed the Senate once, but the bills that passed never hooked up and never made it to the President's desk.

Are we going to tell those who argue that this is an earmark that any aid to any region, no matter how publicly talked about, no matter how desperate the need, is an earmark? With all due respect to my colleagues, it is not fair. It is not right. It is not up to the level of this body or this discourse. It is using a word that has a bad connotation and inappropriately labeling something that has been part of America's nobleness since 9/11.

Let me give you a little bit of history here. After the $20 billion in aid was passed, some of the provisions were not fully realized, others were, and exceeded the amounts of money. So the New York delegation had talked with the President and with OMB leaders about how to make sure those dollars were most wisely spent, and in some places, the amounts of money changed.

A consensus emerged as we went through this that the best way to support private enterprise, or one of the best ways to support private enterprise and rebuild lower Manhattan, was to improve transportation in and around the liberty zone.

As a result, the city and State proposed supporting improvements in transportation infrastructure in or connected with the liberty zone. If you look at the Treasury blue book, my colleagues, it is on pages 47 to 49. This is not something that was slipped in by any Member of the Senate, not by me or anyone else. It was the President who proposed it in this budget, as he has proposed it in previous budgets.

It is not something that was slipped into the bill in the middle of the night. And to equate it with wasteful porkbarrel projects is an in insult to the families of those who survive, to every New Yorker, and I believe to every American.

When New York was struck, we all rallied together. We have sort of kept that tone since, when it comes to helping areas that need help. So this is not about funding porkbarrel projects. This is about keeping our promises and our faith.

Second, my colleague insists that this is a train to Kennedy Airport. I refer him to the language in the FAA bill. There is no reference to a train to Kennedy Airport. There is no reference to an air rail. As I said, it sounded good, but I appreciate the fact that the Senator from New Hampshire has pulled back from calling it a train to nowhere. I personally called him 2 days ago and read the language of the bill to him. It does not mention a rail project. There has been talk in Manhattan, among the mayor and Governor and the city leaders who would be in charge of spending this money, that that is a possibility. But there are many other possibilities as well.

The one thing the legislation states is about improving and rebuilding transportation in the liberty zone. That is all. There is no specific project mentioned in the language. There is no particular project or projects I am supporting. To say otherwise is untrue. It would be totally within the law to use this for some subway improvements or other types of spending. That will be what the city will decide, in consultation with the Governor and the appropriate legislative bodies.

As for the mechanism of funding which allows the city and State to keep part of the Federal income taxes withheld from city and State workers, we have tried various ways of designing this aid, and this is what the administration came up with, with our agreement and consent. If any of my colleagues would like to suggest another way for fulfilling the promise they would support, I am happy to listen. But I remind them that this is a solution supported by the administration. In fact, the Bush administration has supported the $2 billion trade-in for the liberty zone in four consecutive budget proposals. The details of how to do it, again, of how to spend the money, will be left up to the city and State. This is not new money, I remind my colleagues. It is the last part of a solemn promise made by President Bush and supported by this Congress in 2001.

The current version of the language passed the full House in the most recent energy bill. It was part of a Senate energy bill that received 59 votes last year and 58 votes earlier this year. It was also part of the FAA reform package that passed out of committee by broad bipartisan vote. This is not something that was snuck into the bill as it reached the floor of the House. It was passed and debated in the Finance Committee. In fact, two of my colleagues who have raised questions about this—my friends from New Hampshire and South Carolina have both voted for legislation in favor of enacting the liberty zone provision, when it has been previously considered as part of other legislation.

So now to object to this, to the whole FAA bill because it has this provision in it, is a change of view. There was no objection to other legislation that had it on that basis.

The junior Senator from South Carolina voted yes on final passage of two bills in the 109th Congress—S. 2020, and H.R. 4297—that both contained the liberty zone provision. Unfortunately, the provision was not in the final versions of these bills, and the remaining funds for Ground Zero were not allocated. By advocating against this current position, it is clearly a change. There was no specific vote on this rail link, but there were votes on larger packages that contained it, just as this FAA package is a larger package that contains it. The senior Senator from New Hampshire has voted in favor of the liberty zone tax provisions at least three times: First, in favor of the original bill, H.R. 3090; again, in favor of two separate bills—S. 2020 and H.R. 4297—to complete the funding in the 109th Congress.

So it is hard to understand, since this is not an earmark. This is not a specific project. This is supported by the President. It fulfills a promise that, frankly, this Nation made to New York, the last part of it. It is hard to understand why the views have changed. We have been working 4 years to finally complete this promise. Each time objections are raised. If someone doesn't like it on this bill, then make a commitment on what bill we can finally get it done because I am going to try to get this on any piece of legislation that moves in the Senate until the promise to the people of my city and, frankly, the people of America is finally fulfilled.

I say this to the 98 other Senators not from New York: If 9/11 had happened in your State, you would be down here on the floor of the Senate making the same fight we are making. You would not allow anything to get in the way of a promise that had been made to a city or State, particularly when the arguments made don't really apply—not an earmark, not a train to nowhere, and not something that was done in the dark of night.

I want to note again that the Bush administration has been supportive. I have many disagreements with the White House on a host of issues, but they have been helpful and true to their word on this issue. President Bush himself has. I have thanked him for it repeatedly. The President believes it is important to keep his promise. This body should feel the same way. That is why he put his proposal in four consecutive budgets. That is why when the administration issued its statement of administrative policy on this bill, they did not note any objection to this provision.

I know there can be objections. That is part of what we do around here. But I haven't seen a good argument against this other than you don't believe New York City should get the money that was promised to it. This is about keeping a promise. I am going to make sure, to the best of my ability in this body, that this promise is kept. My constituents demand it. Fairness demands it. If this were about your State, you would demand it too.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I rise to talk about an amendment that I hope to offer on the reauthorization of the Federal Aviation Administration. It is an important amendment, and I want to discuss it so that my colleagues understand what this amendment is about.

This is a picture of an airplane that was provided to my office by a U.S. safety inspector. A pilot for a Chinese carrier requested permission and landed in Frankfurt, Germany, for an unscheduled refueling stop. They were running low on fuel. This is what the U.S. safety inspector provided us. This is what German workers found—seatbelts wrapped around fan blades.

There is a seatbelt. There is a seatbelt, as you can see, and the structure behind. They did this to minimize turbulence because there had been an engine that had failed. The inspection found that a total of three engines had to be replaced before the plane was going to be allowed to take off again.

What does this have to do with the amendment? In the latest audit, the Department of Transportation inspector general found that 67 percent of the heavy maintenance—not talking about kicking the tires or changing the oil—of U.S. commercial aircraft is now being performed by foreign repair stations. In a series of reports, the inspector general has identified many gaps in FAA oversight for these foreign repair stations.

What this amendment does is seek to apply the same standards of safety and security to all of these foreign repair stations that U.S. carriers are using. That is a pretty reasonable proposition. If you have a commercial carrier that is serviced in the United States at an FAA certified facility, it is likely an FAA inspector is onsite, a constant presence. There are requirements of drug and alcohol checks. There is perimeter security. There are standards that must be met in terms of these repair stations. How does it make sense that we don't demand those same standards for American carriers that are using foreign repair stations? Most Americans would be surprised to find out that we don't. That is what this amendment is going to fix.

I thank Senator SPECTER for cosponsoring this amendment. I want to spend a little bit of time talking about what the amendment contains, but I want to make sure that not only is the problem just whether the work being done is not up to the standards we would expect in some of these foreign repair stations, I want to talk about security issues.

My mom is going to be 80 this summer. She has had two knee replacements. She can't go through an airport without being wanded, many times her suitcase being opened. We all know that we have to check our shampoo. We have to not carry water bottles through security anymore. I think the American flying public understands and has accepted these incredibly intrusive measures because they want safety. They want security. They want to make sure that when they fly, they are safe. So they have said: OK, I am going to take a bunch of time at the airport. I will stand in lines. I will have a wand. I will have people patting my body. I am going to do all this because I want safety and security.

In 2003, an inspector general report found that there was an al-Qaida member working at a foreign repair station in Singapore. The report discovered easy access to facilities by outsiders and found the FAA was leaving employee background checks and drug and alcohol testing up to individual airlines.

> We note that in December 2001 a senior aircraft technician at a foreign repair station was found to be a member of the terrorist organization Al Qaeda. . . .The aircraft technician photographed U.S. aircraft as potential targets for a terrorist attack.

Really, is it fair that we all are worrying about whether we have 1 ounce too much of shampoo when we have not taken the basic steps to make sure al-Qaida is not under the hood? I think most Americans would be shocked to see this inconsistency in our sense of urgency and caution when it comes to the safety of the flying public.

What does this amendment do? It is pretty simple. First, it requires identification and oversight of foreign repair facilities that are noncertified. The FAA must submit a plan to Congress within 6 months of enactment to identify and expand its oversight of all noncertified facilities used by U.S. air carriers. Keep in mind, these U.S. air carriers are not just outsourcing the labor to foreign repair stations that are FAA certified in foreign nations. They are also outsourcing the work to noncertified FAA facilities.

I keep asking the FAA in hearings: Why do we have certification? I will say: Do you think certification is important?

The FAA officials will say: Yes, we think it is important.

I say: Then why do we have it, if we don't require everybody to have it? What is the point? Why are we letting carriers use noncertified facilities if the certification is important to our safety and security? It doesn't make sense.

This amendment would, in fact, require that those carriers use certified facilities if they are, in fact, going to use foreign repair stations. It will require the FAA to do two inspections a year. I do not think that is a heavy lift: two inspections a year of their facilities, wherever they may be.

It will require drug and alcohol testing of employees performing maintenance at foreign repair stations. It has been interesting to me because we have had some push-backs from some places about this because of some countries that want us not to require this because they currently have work of U.S. carriers and they do not want America to require FAA oversight to this degree. One of the things they protest most—some of these nations—is the drug and alcohol testing. Well, with all due respect, I really do not think Americans are excited about the idea that we would waive drug and alcohol testing for people who are working on airplanes. I think that is a basic. It certainly would be a basic in this country. I think it is certainly something the American people would expect.

It will also enforce the TSA requirements that foreign repair stations comply with security standards issued by the Transportation Security Administration.

It will update foreign repair station fee schedules to ensure taxpayers are not subsidizing the outsourcing of this work.

Here is the part that gets me a little bit cranky about this whole situation. It is one thing for companies to want to outsource labor to other countries because it is cheaper. Now, other than the need to fix our Tax Code, we do not encourage the outsourcing of jobs. It is not as if we can require corporations in our country to keep all their jobs in the United States. That is a tough thing for us to do in an open democracy, in a free market economy. I will tell you what we can do, though. We can sure make absolutely certain these companies are not doing it with the help of taxpayer dollars.

Right now, as to the certified repair facilities that are in foreign countries, the U.S. taxpayers are underwriting the bill for those inspections and that certification. In other words, the companies can outsource the labor to a country where it is less expensive, and taxpayers are footing part of the bill for the safety and security of those facilities.

Now, if you are going to go for a less expensive labor cost, it seems to me that you, at a minimum, ought to add to that savings the cost of the inspections by the U.S. Government. Why should the taxpayers foot the bill for FAA inspectors to fly over to Singapore to inspect a facility? That does not seem fair. So this makes sure the people who are using the foreign repair stations are absorbing the costs of inspecting and keeping those foreign repair stations up to our standards. Obviously, it requires the regular inspector general oversight of the implementation of this provision.

This is very reasonable. The House has similar language in its bill. I think this makes sense. I think it is something, frankly, the American public would be surprised to understand, that we have this huge gap in our safety and security oversight for the flying public.

I look forward to an opportunity for the Members to have a vote on this amendment. I think we all want trade. We all want to make sure we can export American products. We do not want trade agreements that put us at a

disadvantage or, frankly, we want to make sure we still have access to other markets. But we cannot outsource safety. We just cannot. This administration is willing to do that. This administration is willing to say: We are going to let these other countries worry about whether their facilities are safe. I do not think this is one area where the American people want this function of our Government outsourced. I think they want us to be on top of it. I think they want to make sure it is being done right. I think they want to make sure it is being done fairly. I think they want to make sure they are not paying the bill to outsource this work.

At the end of the day, I think they have been cheerful, as Americans always are about what is asked of them, but I do not blame them for being a little worried that there has not been more sense of urgency about the safety and security of this situation in light of all of the money we have spent in the name of national security and, importantly, homeland security.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. 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. ROCKEFELLER. Mr. President, I would like to take a few moments today to discuss what is a catastrophe all across our Nation—and it certainly is in West Virginia—because of the price of gasoline and other transportation fuels.

My State is not wealthy. I think it is either the third or fourth poorest State in our country, and I do not say that with shame, I say that with pride because it was, in a sense, one of the reasons I was a VISTA volunteer. I went there as a VISTA volunteer because I saw a place where I could at least try to help. The people are the best ever. When people have to struggle to make it, day-in and day-out, they are pretty solid people.

As I am sure it is the case for all of my colleagues, for the past few weeks and months I have been hearing from my constituents constantly about rising gasoline prices and the resulting rise in the prices for goods and services throughout our economy.

West Virginians are hurting. West Virginians will always find a way to persevere—always—but right now many are struggling to juggle expenses, making enormous sacrifices to feed and clothe their families, while trying to pay the cost of going to work. We have plants in West Virginia which people drive hours and hours every day to get to. Work is not easily found, so where it is, people have to drive. We are 96 percent mountains, 4 percent flat. We have a lot of roads. People pretty much have canceled the occasional splurge for a movie. We have a baseball team in West Virginia. That has pretty much been pushed off. In other words, if it is a nonemergency purchase, they bypass it. It takes away from their happiness, their stability as a family, but they have no choice. Belts have been tightened just about as far as belts can be tightened.

Yet, this week, we hear that oil company profits are again nearing or exceeding record highs and that these companies have no plan and these companies have no desire to increase domestic refining capacity—one of the very few things we know would actually help bring down prices.

The Energy Information Administration and private sector energy experts tell us to expect gasoline and diesel fuel prices to continue to rise for the foreseeable future. I do not know what that means. I do not think West Virginians care very much what that means. It just means a long time. And a week, a month, is a long time. This is well beyond the usual cyclical annual price fluctuation. And the so-called summer driving season is not even here yet. But other than a brief dip in January, the price West Virginians have been paying at the pump has been climbing steadily since before Christmas—not as noticeable at first, now catastrophic.

The average price for a gallon of regular gasoline in West Virginia has risen from just over $2.70 a gallon in August 2007 to a price on the last day of April 2008 of $3.71. I do not have new wage data for workers in my State. I wish I did. But I am willing to stand on the floor of the Senate and assert that nobody's salary has risen to match that 37-percent increase.

The idea of $4-a-gallon gasoline—which 2, 3, 4, 5 years ago would have sounded crazy—really now is a matter not so much of ''if,'' but ''when.'' The timeframe I just mentioned is relevant, of course, because we are a country that has been at war in Iraq for more than 5 years—spending money, letting people do corruption at all levels. I am always suspicious of oil companies. When our brave American forces set out to impose regime change on that country based upon the false—or at least unforgivably imprecise; I prefer the word ''false''—intelligence, West Virginians were paying, on average, $1.63 for regular gasoline. That was not that long ago. It had been as low as $1.26 in the months leading up to the invasion.

It should come as no surprise to anyone within the sound of my voice, but in that time oil industry profits have risen steadily: almost $60 billion in profits in 2003, just over $80 billion in profits in 2004, approximately $110 billion in profits in 2005, just under $120 billion in 2006, and just over $120 billion so far in 2007. ExxonMobil, Shell, and ChevronTexaco have each had increasingly larger profits each of the last 5 years. BP and ConocoPhillips have done nearly as well. In all, the five largest integrated multinational oil companies have reaped almost $560 billion in profits since President Bush and Vice President CHENEY came into town. I don't particularly want to do it that way, because I blame the companies more than I blame them, but there is lots of blame to go around.

Anyone who looks at the numbers can make this about politics, of course. It is easy to do. But this is, in essence, for me, a former Vista volunteer in my 44th year in West Virginia, all about people. It is simply all about people and families who have been struggling anyway. The average salary for the average working family of four in West Virginia is $31,000. That is not a lot of money, before you get to all of this, and then it is even less.

Today, if you are lucky enough to live or work near Sam's Club in Vienna, WV, which is on the Ohio River, and you can afford to become a member there, you can get a gallon of gasoline for $3.49. It is hard for anyone I know in West Virginia to think of that as cheap, but it is the lowest price reported in the entire State. Frankly, based on the data I have seen, it is so much lower than the rest of the State that you almost have to consider it an anomaly.

If you are running low in Spencer, WV, a rural community, however, you need to be prepared to pay $3.82 at the Exxon station on Main Street. It is $3.79 in South Charleston. Residents of Huntington are paying $3.75. In Berkeley Springs, not far from Washington, it is $3.69. No West Virginia county—none—is reporting an average price per gallon of regular gasoline that is below $3.61. Only three of my States' 55 counties are reporting average gasoline prices lower than $3.67.

Individual price quotes at individual stations are ominous enough, but the real stark numbers, the real telling calculation, is how much more West Virginians are paying for gasoline than they were in years past, and that is not even getting into the meteoric rises in food prices and the other costs essential to daily living. Even those in West Virginia who travel by air, which is the subject of the bill we are meant to be on, those prices have gone up.

Since 2001, West Virginia households are paying almost $2,500 per year more for gasoline. If it is a household with children, that makes it $3,000. I take my colleagues back to the average salary for the average family of four, working family of four in West Virginia: $31,000. When you add on health care, food, rent, and all the rest, everything else, it is an enormous matter. If it is a household with teenagers, it is just below $3,600 more. Families, businesses, and farmers in West Virginia will spend $153 million more on gasoline in April 2008 than they spent in January 2001.

If prices remain at current levels, $1.83 billion more will be spent on gasoline in West Virginia this year than

was spent in 2001. West Virginia consumers, farmers, and businesses are on a track to pay $2.96 billion for gasoline this year.

So West Virginians are asking two questions: How did we get here; but to them, much more importantly, what can be done to fix this.

Nobody in Government, academia, or the private industry can give us a single definitive equation for what makes the price of oil go up and down. We don't know why, but we can't. Generally, increased demand from China, India, and much of the developing world has set the stage obviously for prices that we have to take into consideration.

Much of our oil comes from an unregulated and unresponsive cartel called OPEC. We also know that since the tragic terrorist attacks of September 11, 2001, the world price for petroleum has been affected by a global struggle against stateless thugs.

The instability brought about by the invasion in Iraq has done nothing but raise the pump price. I don't know a single benefit to our Nation that has been accomplished there. But smaller factors have also had huge consequences. Instability in Nigeria and the outrageous behavior in Venezuela have contributed in similarly negative ways. The recent strike by refinery and pipeline workers in Scotland, unbeknownst to many of our citizens, will not help. Likewise for the very serious refinery explosion in Utah this week.

Economists cannot pinpoint how much speculation in the commodities market is adding to the price of oil, but a congressional study in 2005 suggested it was in the $20 to $25 per barrel range. A more recent study announced by Public Citizen said it is now closer to $30 a barrel. It doesn't matter. Every cent of that is being seen at the gas pumps in West Virginia and around the country, and it hurts, and trying to give a worldwide economic explanation for it doesn't solve anybody's problems or anybody's pain.

We know, too, that the price is manipulated up and down the supply chain. Nobody will ever convince me that there is not a large amount of corruption and manipulation, deliberate, cozy and easy, that goes on around boardrooms in oil companies. From the huge oil companies that find the oil, through more markets and middlemen than we can keep up with, every player has the ability to force the price up for their own bottom line. There is manipulation beyond the reach of my people in West Virginia or the Presiding Officer's people in the State of Colorado. We are at their mercy. We pay the price, we are at the mercy—at the mercy of oil. Federal investigators cannot usually pinpoint collusion, but those acting independently to manipulate prices cost the people of West Virginia all the same. There are a lot of things Federal regulators never manage to find.

In the long term, the things we need to do sound basic—and this is the final part of my remarks and the important part, other than the overriding theme of anger—such as increasing supply and reducing consumption, but achieving these goals has proved to be very difficult.

I have long supported efforts to improve automobile fuel efficiency, and so have most other people—not all. We made a small and long overdue change last year, and I believe we will do more. I think CAFE standards are going to go up and up, as they should; cars will get smaller and smaller, as they should. That will not be good for my legs, but it will be good for my people. But even when Detroit catches up with the rest of the world's automakers on fuel efficiency—I repeat, catches up—we do need to add to our supply now.

That is why in 2006, I supported Senator DOMENICI's legislation to increase oil and gas exploration in the eastern Gulf of Mexico. When these new fields are fully on line, they will add 1.26 billion barrels of oil to our domestic supply. Now, I say that, but I also have to say in all honesty that I voted against virtually every other attempt to do drilling offshore and in ANWR, for example. ANWR to me has always been a shibboleth. People say: Well, we can get lots of supply there, just as many people or more say it is technically feasible or maybe it is economically feasible, but it is not both. In the meantime, the tundra continues to melt.

That is why I have also consistently supported holding off on additional deposits in our Strategic Petroleum Reserve. It is more than 97 percent full as it is, and there is no economic rationale for filling it to the brim with $120 per barrel of oil. That product should be making its way into the market some place.

I joined my colleagues earlier this year to ask the President to suspend deliveries into the petroleum reserve until the price of oil drops below $75 a barrel. Since the President persists in refusing to stop taking oil off the market, I will support legislation to force him to do it.

I also support, as I have in the past on several occasions, the imposition of a windfall profits tax on integrated multinational oil companies. People say this won't have any effect. I would like to try that out to show that they are wrong and to send a message. The oil companies are making so much money maybe they won't even notice it. But I doubt that, because there are now 300 million Americans who are very angry about what very few of them are doing. As I have said, these companies are making huge, perhaps unconscionable—not perhaps—totally unconscionable profits off the hard-working people in my State and off the wages of struggling Americans everywhere. If they refuse to reinvest in additional refining capacity, which has been their habit, the least we can do is use some of those profits to shore up the highway trust fund for the road infrastructure and transportation projects that we need for the 21st century, and perhaps even for something called aviation. Those projects would create jobs.

I will also reintroduce legislation this week that I first introduced in 2001. It is called the Low Income Gasoline Assistance Program, or LIGAP. This will provide some relief to Americans hardest hit by any rise in prices; to wit, the working poor, which describes a lot of my State. For many West Virginia seniors who have no means of getting to work, the grocery store, or to a doctor's appointment other than their cars or trucks, if they have them, LIGAP assistance for gasoline purchases will enable them to weather this crisis with a little more peace of mind. I say ''if they have them'' because many people in communities I have worked in throughout West Virginia don't have automobiles, so when they have to go somewhere, usually a pretty long distance, they have to hitch a ride. Even though our people are innately good and generous, because they depend on others as others depend on them, they will usually charge a fee for that ride. In any event, whether they can even take that ride will depend on whether they can afford the gasoline price to get there.

So LIGAP eligibility would be linked to and modeled after LIHEAP, the very successful and efficient home heating and cooling assistance program. Funds would be distributed to States as additions to allocations under the existing community development block grant program.

It makes sense. For everyone who qualifies, LIGAP would give stipends of between $100 and $165 a month. Hopefully, this may mean not having to scrimp on their children's food or cut back on prescription drugs and other family needs.

Families are the basis of our country. People are the basis of everything we do. It is just that there are some sectors of our economy that choose to avoid that because they don't have to depend upon those people because those people have no choice but to buy their products.

It is time for Congress and the administration to come together and stop bickering—it would be a majestic accomplishment—and stop fighting over turf, as we are doing on the aviation bill. While we engage in parliamentary tactics that most Americans don't give a hoot about—in fact, they hate us for doing it—West Virginians and citizens in every State are suffering, while oil companies are laughing all the way to their many banks. This must stop. I ask my colleagues to work with me to make this stop.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, we import more than 12.5 million barrels a day of petroleum—over 60 percent of

our petroleum energy needs. As a matter of fact, I think it is higher than that now, in the last 2 or 3 days. This is why our economy and the value of the dollar has weakened and our energy costs have skyrocketed. With oil at $117 a barrel—and it is more than that today—the United States spends nearly $1.5 billion each day on foreign oil. That is $533 billion each year that was not invested in our own economy.

Instead, that money is being sent—along with jobs—to other countries, such as Saudi Arabia, Nigeria, and Venezuela. For every million barrels of oil we import, 20,000 American jobs are lost.

Our country needs a real economic stimulus now. That stimulus will come when we stop spending hundreds of billions of dollars each year to import oil and, instead, invest that money in our own economy by increasing domestic production of our energy resources.

The area known as ANWR is a million and a half acres that was reserved for oil and gas development on the Arctic slope in 1980; it is the largest untapped oilfield in North America. We believe that is the largest trap for oil in North America. Oil companies estimate they will spend between $45 billion and $60 billion to develop this area. Combined with the construction of the Alaska natural gas pipeline, which is expected to start soon, it will cost about $40 billion. These resources would deliver a massive influx of jobs and capital investment in the United States. Our economy would be stabilized, and the dollar would be strengthened.

ANWR and the Alaska gas pipeline are only the beginning. This infrastructure would help lead to further development of Alaska's Outer Continental Shelf. We have more than two thirds of that Outer Continental Shelf. It has been expanded another 100 miles north of Alaska, as we discovered a further extension of the shelf. The Chukchi Sea holds an estimated 16 billion barrels of oil, and there is an estimated 7 billion barrels in the Beaufort Sea off our State. Bringing these resources on line would add even more jobs and capital to our economy.

Full development of ANWR would result in at least 60,000 jobs. Opening ANWR alone would require the construction of a fleet of 19 new tankers to transport the oil to the Lower 48. Those would be American-built tankers. Under the law, they must be—under the Jones Act. This alone would create at least 2,000 direct jobs in the U.S. shipbuilding industry and approximately 3,000 additional jobs in other sectors of our economy. The energy industry estimates the Alaska gas pipeline alone will create 400,000 new jobs nationwide.

Senator SCHUMER made an interesting statement the other day. He suggested that opening ANWR would reduce gas prices by only pennies. He took a shot at the President, saying he takes out the old saw of ANWR, that ANWR would not produce a drop of oil in 10 years, and it is estimated that if we drilled in ANWR, in 20 years, it would reduce the price one penny.

I am afraid that shows how little the Senator from New York understands the oil industry. He ignores the long-term economic stimulus domestic production will bring through investment in our own country—raising household incomes and individual buying power, rather than sending money overseas. Senator SCHUMER would ask other nations, such as Saudi Arabia, to increase their production as a solution to our energy crisis.

I agree that increased production would help solve our problem but that production should occur in our own country. I think the Senator should realize what is happening in terms of the oil industry, and the key driver now to the cost of gasoline is not the supply and demand, it is the value of the dollar and the value of oil per se. The value of oil now is represented by paper on the New York Stock Exchange, which has replaced gold. People are speculating in oil. That is also what is causing the price of gasoline to go up at the pump. Senator SCHUMER should visit NYMEX and ask them to do something about that and stop the speculation in oil. I think it should be unlawful to speculate in anything related to energy in this country. I think soon we will do that.

This production has to come from our own country. The position of the Senator from New York would send more money in tax and royalty revenues outside our economy. I don't know how that will strengthen our dollar or lower prices at the pump at all. It is not a question of supply and demand, it is a question of a long-term commitment to restore our capability to produce oil and gas in this country.

Had President Clinton not vetoed the ANWR bill before, we would be producing at least 2 million barrels a day more out of Alaska right now. I don't like to be chided by the Senator from New York about why we don't have more production in this country. He is suggesting we ask the foreign producers to produce more oil and send it to us. That will send more money out of the country and take more of our jobs. I don't understand that.

In 1995, when we approved the amendment allowing development of the Arctic Plain, President Clinton vetoed that legislation, and we are paying for the consequences of that today. Had he not vetoed the legislation, the Trans Alaska Pipeline—which currently operates at less than 50 percent of capacity—as a matter of fact, it is even worse than that, about 38 percent of capacity. We are sending out about 700,000 barrels a day instead of 2.5 million barrels a day. We could easily have that pipeline—we call it a barrel—full and offset imports and keep our trade deficit down and keep jobs and money in our economy. In the long run—not short run—increased production does affect the price at the pump. We would continue to increase domestic production of oil and that, in effect, would give us competition against the price set by foreign producers, and we would be able to reduce the price at the pump in the long run.

Between the Outer Continental Shelf, ANWR, the National Petroleum Reserve in Alaska—which is now ready to be leased—and the resources remaining in Prudhoe Bay, we believe we would have at least 45 billion barrels of oil left to produce. That is an estimate. When they estimated how much oil was in Prudhoe Bay, they estimated 1 billion barrels. We produced 18 billion. I remind the Senate of that. So we have produced more than that, and it is still producing. At full capacity, we ought to be able to deliver at least 2.5 million barrels to the daily market. We have oil from outside the Arctic, by the way. We can reduce the impact of sending more and more money out of the country and affect the American economy as we spend that money here at home. That money would generate tax and royalty revenues, fund research into alternative energy sources, create jobs, help strengthen the dollar, and lower our energy prices in the long run.

The weak dollar is what is causing speculation in oil futures and increasing the price of oil and gas at the pump. We need investment in our own country, which develops our own resources, instead of relying on those from other countries. By increasing domestic production, we would meet our own Nation's needs, strengthen the economy, and begin creating jobs and generating revenue, which would be reinvested back into our economy. That is the way to a strong economy, a stable dollar, lower energy prices, and to reduce the demand on foreign oil and the cost of gasoline at the pump. We have to stop sending our money abroad and sending jobs abroad to pay for energy resources, when we can use the money at home to develop the vast resources we have.

Alaska is the storehouse of energy for the future. It should not be cast aside as it has been. I hope we will find a way to vote on ANWR this year.

I yield the floor.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

Mr. DORGAN. Mr. President, my understanding is the pending business is on the FAA reauthorization bill; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. Mr. President, I hope no one is out of breath this week as a result of working on this bill. We had

one vote on Monday at 5:30 p.m. and have not voted since. With legislation this important to this country, why are we not able to move ahead and cast votes and finish this legislation?

This is about FAA reauthorization which includes the issue of modernization of our air traffic control system, which is very important. We read in the newspapers these days about the additional inspections that are required of airlines. We read about airlines going bankrupt because of fuel costs. We read that the FAA system for air traffic control is archaic. We are told that the GPS system in your car is more sophisticated than the system by which we move airplanes around this country in the air traffic control system. We hear the problems with the air traffic controllers, the contract problems they have had with the FAA, the shortage of air traffic controllers, the number who will retire in the near future, and the need for training of additional controllers. We read about all these things in the news. We read about systems that still use vacuum tubes in the air traffic control system because it is that old.

The question for this Congress is, can we pass legislation that reauthorizes the FAA functions and then provides the funding to modernize this system of ours?

We have a lot of people who visit this Capital city, and most of them fly in by airplane. This country moves back and forth quickly from coast to coast using, in most cases, commercial air transportation. They don't think very much of it, frankly. You can fly from one coast to the other in 5 or 6 hours. It is not unusual to leave one part of this country and end up in another part before lunch. It is a wonderful thing to have this system of commercial air travel. The fact is, this system will not survive for a number of reasons under the current circumstances.

As I indicated the other day, I believe there are four airlines that have declared bankruptcy in recent weeks. We also understand, in addition, what high fuel costs are doing to the airlines, and we are talking now about the airlines in this legislation before us. But I could talk about the trucking industry, or I could talk about families and farmers. I can talk about what the high fuel prices are doing to all of this country. There is no heavier user of fuel than an airline.

What is happening is the fuel prices are undermining the opportunity for many of these airlines both to continue operating, in some cases, and, in other cases, to continue operating serving smaller areas or less populated areas of the country. So fuel prices are a serious problem.

The other issue is the modernization of the air traffic control system, the system by which we provide for the safety of the American people. There is going to be a catastrophe one of these days, and then everybody is going to stand around thumbing their suspenders, scratching their heads, and saying: Why didn't we do something about it?

We have a bill on the floor of the Senate right now to try to address this situation, to try to modernize this system, and we have been at parade rest since Monday because we are not allowed to move forward. Everything is blocked. Everything is plugged up. This is unbelievable.

This is important. Some people around here treat the serious things far too lightly and then treat the light things too seriously and never understand the difference. Why is it on a Thursday that legislation as important as this, that should have been passed in previous years, cannot even get amendments up and cannot get votes off because we have people who have decided they are just going to block everything?

I told a group in North Dakota a while back about Mark Twain. Mark Twain once was asked if he would engage in a debate. He said: Oh, sure, as long as I can take the negative side.

We haven't even told you the subject of the debate.

He said: It doesn't matter, the negative side is going to require no preparation.

The negative side never requires preparation. Those who are out here saying, no, you can't, they want to block it. That requires no preparation. What requires preparation is to advance public policy that is in the interest of this country. Does anybody really think modernizing our air traffic control system is somehow a backburner issue? We see what is happening in the skies in this country. They are absolutely clogged. In fact, because of fuel prices and other reasons, we have airlines now switching to smaller planes, these little regional jets skirting around the sky, hauling as many people but just takes more planes to do it. So that puts an unbelievable strain on the air traffic system.

The question is, Are we going to modernize it? Are we going to do what is necessary? Are we going to provide the funding? Are we going to finally get off this delaying nonsense that is going on and allow legislation to move forward that is essential for the safety of the air traveling public?

I hope the answer at some point soon is yes. This includes items such as the Airport Improvement Program, what is called the AIP, investing in infrastructure in this country. That is very important. Land at some of these airports and take a look at the infrastructure and ask yourself whether we need this investment.

It is interesting, if you travel around the world. If you go to Tegucigalpa, Honduras, and then get in a car and drive to Juticalpa. Take a look at the roads and ask yourself whether infrastructure matters. Land in some of the airports in some of these remote areas and take a look at what you are landing on and the infrastructure needs of that airport. Then ask yourself whether infrastructure is important.

We have always prided ourselves in this country on the investment in infrastructure. When you come to America, you see infrastructure that is maintained. We have always prided ourselves on that until recently, and now somehow infrastructure doesn't matter. It takes a back seat.

In my little subcommittee on appropriations that I chair, the President says: Let's cut water funding by $1 billion from last year's levels for the Corps of Engineers and the Bureau of Reclamation. These agencies fund much of the nation's water projects and were cut by $1 billion, even as we have 950 water projects in this country which we are paying for in Iraq. Think of that. Let's cut water projects in this country and investment in the future of this country by $1 billion, the President says. However, let's have 950 water projects that the American taxpayers will pay for in Iraq.

I think it is time to start taking care of a few things at home. One of them is the legislation on the floor of the Senate right now, and that is the FAA Reauthorization Act and the investment and the modernization of the air traffic control system. If we do not pay attention to that, we are going to run into very serious problems. I might also say, tragic problems because there is going to be some sort of spectacular tragedy, and then we are all going to sit around and say that somebody should have done something.

We are trying to do something. The fact is, we cannot even get a vote on an amendment on the floor of the Senate. It is unbelievable. As I said in the Mark Twain example, the easiest thing in the world is to oppose. It takes no talent, it takes no time to prepare, just oppose, oppose everything.

My hope is in the next couple of hours, perhaps there will be some here who wish to move ahead. I know Senator REID has been on the floor offering unanimous consent requests. He has talked with the minority to see if there are conditions under which we might be able to move forward and get something done on some legislation. I understand it takes a while to get things done. I understand we should be deliberative. I understand there should be enough research so we don't have unintended consequences to what we do. Nobody has ever accused this body of speeding, ever, But this is ridiculous. This makes a glacier look fast.

My hope is that those of us who are elected to come here, who try to make some improvements in this country, who do what is necessary for the health and safety of the people of this country will soon understand that the FAA reauthorization bill is not just some other piece of legislation, that it is an optional piece of legislation. The modernization of the air traffic control system is not some option that we ought to consider like any other bill. This is urgent and necessary and timely, and we ought to do it now.

ENERGY

Mr. DORGAN. Mr. President, I wish to talk about energy. Several colleagues have spoken about energy prices, and I related energy prices to the airline industry a few moments ago. I mentioned several bankruptcies that have occurred recently, intensive heavy users of energy in the airline industry, and what it might mean. This country needs a commercial airline industry that works. Without it, there will be devastating consequences to our economy. The question is, What do we do here?

My colleague from Alaska made a point with which I agree. He talked about the speculation in these markets with respect to energy. I wish to talk about that issue. I have some charts.

This is a chart that shows the speculator activity in the oil futures market from January 1996 to April 2008. This is the activity by speculators in the futures markets. These are not people who want to buy oil or hold oil. They have no tanks in which to put oil. They are not interested in oil. They want to buy what they will never get from people who never had it. This is what speculating is about.

Here is the increase in speculation in the commodities market for oil. It is an unbelievable ramp-up, an orgy of speculation, having nothing to do with the fundamentals of oil supply and demand. There is no justification for the current price of oil if we simply look at supply and demand. Supply is up a bit; demand is down a bit. There is no justification with the current fundamentals of supply and demand that would seriously justify the current price of oil.

So then what has changed? What is different? Why is this price $115 or $120 a barrel for oil, acting like a yo-yo at the upper end? A couple issues have changed, especially this. We have hedge funds that are now neck deep in the commodities markets speculating on oil. We have investment banks that are speculating on oil. For the first time in history, I believe, investment banks are actually buying oil storage capacity to buy oil and take oil off the market to sell it later when it is more expensive. This is speculation, raw speculation. I suppose everybody is making money. The brokers are making money, the investment banks, the hedge funds—they are all wallowing to the bank full of cash, driving up the price of oil beyond what the fundamentals would suggest the price should be.

We know those people who are winning, but who are the losers? Well, our country. This is something that is providing great damage to our country's economy. Families drive up to the gas pumps, and it hurts to fill the tanks. Farmers, heavy users of energy and fertilizer that comes from energy, are losers. It is an unbelievable burden on family farmers. Airlines, they just cannot fly through this storm. They go belly up. The list goes on and on.

If this is what is happening with the ramp-up of speculation and it is causing an increase in prices, here is what has happened to oil prices. No one needs a chart to know this, but oil prices doubled in just over one year. Speculation goes up, up, way up, and oil prices have doubled in one year.

Let me cite some folks who have talked about this issue. Stephen Simon, senior vice president of ExxonMobil, April 1, a month ago:

''The price of oil should be about $50-$55 per barrel.'' This from an executive in the oil company. I do not think his company is complaining about where the price is. He is just being candid. According to him, the price of oil ought to be about $50 or $55 per barrel, assuming current fundamentals.

Clarence Cazalot, CEO, Marathon Oil, October 30, 2007:

> $100 oil isn't justified by the physical demand in the market.
>
> Experts, including the former head of ExxonMobil, say financial speculation in the energy market has grown so much over the last 30 years that it now adds 20 to 30 percent or more to the price of a barrel of oil.

Think of that.

Speculation in the energy markets has grown so much over the last 30 years that it now adds 20 to 30 percent or more to the price of a barrel of oil.

I understand the need for a marketplace futures market. It is required for hedging. It is required for liquidity. I understand it is necessary, and I understand we want one that works so there needs to be a futures market, but I also understand that when the futures market becomes something much more than just something that provides for hedging and liquidity. When it becomes an object of intense speculation, then there is a requirement for some intervention. No one quite knows what that intervention should be, but everyone ought to know that it is unhealthy when you have an unbelievable amount of speculation.

There are books written about bubbles in speculation. We have been through recent speculations. The tech bubble that occurred almost a decade ago. The bubble in housing prices is occurring. We have seen and understand about bubbles. This is a bubble of speculation.

Go back 500 years and read about tulip mania. If you have not read about it, I encourage to you do it. Yes, tulip mania. There was a time you could buy a tulip bulb for $25,000. With the hindsight of 400 or 500 years, we can understand how unbelievably absurd it was, but it was a bubble, a financial speculative binge that was almost indescribable.

What is happening in this marketplace now—and most experts will agree—is we have this unbelievable amount of speculation in the futures market that does not justify the current price. The American people and American industry deserve to have a government, in those cases, that steps in and says: There is something wrong here, and we are going to find a way to set it right. This is one of the areas.

This man—in fact, I talked to this man last evening—Mr. Fadel Gheit, the top energy analyst for Oppenheimer Company. He has been there 30 years, he has testified before the Congress, and he is a very interesting fellow.

> There is absolutely no shortage of oil . . . I'm absolutely convinced that oil prices should not be a dime above $55 a barrel. . . . Oil speculators include the largest financial institutions in the world.

He said further:

> I call it the world's largest gambling hall . . . it's open 24/7 . . . unfortunately it's totally unregulated . . . this is like a highway with no cops and no speed limit and everybody's going 120 miles an hour.

That is pretty well said, it seems to me. It describes this bubble of speculation that does damage to our economy and needs to be addressed by this Government. It is not the case that everybody hurts as a result of this.

This is a Wall Street Journal article of February 28, 2008. This is Andrew Hall. I wouldn't know Andrew Hall from a cord of wood. I just see his picture here. Over the past 5 years, Mr. Hall's compensation has totaled well over a quarter of a billion dollars.

What does Mr. Hall do? He makes money by speculating in the commodities market, according to this article. He is not alone. I pulled this because it is an article about him and he has made a lot of money. He has made a lot of money as someone who speculates in these commodity markets.

Is speculation something that is good for these markets? Absolutely not. When you have a speculative binge that drives these prices way out of sight, well above that which would be justified, it can be devastating to the country's economy.

That describes what is happening with respect to speculation. To address the issue of energy, it requires a lot of things. We must do this. If we do not address the issue of speculation, we are not going to solve the problem. We are just not.

But there are other things to do. For example, this administration is putting close to 70,000 barrels of oil a day, every single day, underground. It is being put in something called the Strategic Petroleum Reserve. The Strategic Petroleum Reserve is a pretty good idea because it saves some oil for a rainy day. But just not for any rainy day, for an emergency, strategic emergency, something unanticipated, so we developed it for this purpose. That makes sense to me. But should we take oil when it costs $115 or $120 a barrel and stick it underground, 70,000 barrels? Of course not. That is absolutely nuts. Why would you take the highest priced oil in history, take it out of the supply, stick it underground and by doing so increase the price of oil and increase the price of gasoline?

A man named Dr. Philip Verleger testified before the Congress. He is an economist and energy expert. He said that, by taking a disproportionate amount of oil, a subset of oil called

sweet light crude, out of the supply chain, it has increased the price of oil by 10 percent. You know, with more than $100 a barrel oil, that is at least $10 a barrel for light sweet crude. It is the most Byzantine thing one can imagine.

I have a piece of legislation to stop it. There are now 67 U.S. Senators who have declared themselves to be in support of my approach. There is also a very similar bill that was introduced just the other day by some in the minority, and JOHN MCCAIN running for President out in the country said he supports it. So I have 51 who have signed a letter saying they support suspending the SPR fill for 2008. On top of that, some Republican Senators numbering 15, led by Senator HUTCHISON, also sent a letter to the President. That takes it to 66. JOHN MCCAIN is out there saying he doesn't believe we should do it, so there are at least 67. That makes it a veto-proof margin. So I say let's do it. End the speculation, and there are ways to do that. Second, stop putting oil underground. That ought to be important.

In addition to all of that, let me just say the other menu of issues is not really very complicated either. Should we produce more? My colleague from Alaska says you have to produce more. I don't disagree with that. I was one of four Senators here in the Senate who introduced legislation, now law, that opens up Lease Sale 181 of the Gulf of Mexico. It opens up an opportunity to substantially increase our production of both oil and natural gas in a new region of the Gulf of Mexico. Frankly, if you look at the offshore capability of the Gulf of Mexico and compare it to the offshore options off the West Coast, East Coast or in Alaska, by far the most significant reserves that are achievable by us are in the Gulf of Mexico. We have not even tapped the potential of the Eastern Gulf either.

I and three others initiated the legislation that opened up a portion of the Gulf of Mexico, Lease Sale 181. But there is a lot more to do because it got too narrow. Ought we go back there and produce? You bet we should. There is more production to be had.

In addition to that, conservation is unbelievably important and so is efficiency. Production, conservation, efficiency, and then renewable energy.

Again, we have new technology that allows us to take energy from the wind. I come from a state that has the most wind potential in America. My state has a distinction of being No. 50 in trees, so we are last in America in trees, and we are first in wind. I am not sure where the merits are there, but all of us who live there lean to the northwest because it blows almost every day. We are the Saudi Arabia of wind, as the Department of Energy suggests, and with the new modern wind turbines, we will continue to take energy from the wind and produce electricity.

We have a great experiment going on in which we produce electricity from wind energy and use that electricity in the process of electrolysis, separating hydrogen from water and storing hydrogen for vehicle fuel. It all makes a lot of sense and helps contribute to our energy future.

There are a lot of things we can and should do. This is not some mysterious illness for which we do not know the cure. This is not some strange disease for which we have no cure. We understand what is happening here, and with a little common sense, perhaps a deep reservoir of common sense, we could begin to fix it. At the very least, we ought to begin to take immediate action to stop putting oil underground, and stop it now. It is time to take some action to stop the unbelievable orgy of speculation in the futures market, and do that soon. Those are the first two steps, and they will reduce the price of gasoline. There is much more to do beyond that, but those are the first two sensible steps we ought to accomplish now.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am here today to speak on climate change. Before I do that, I commend my colleague, Senator DORGAN, for all of his good work on this oil and gas issue. We have been working together on a number of things he talked about and I do believe that, while I will talk today about the long-term solutions to our energy crisis and the way this can work hand in hand with climate change if we show the kind of leadership we need to show, there are also short-term issues. That means, as he said, cutting down on the speculation, putting things in place, closing down the Enron loophole. In terms of enforcement, to have the Justice Department get some meat on the bone—as a former prosecutor, I know how important that is—and pushing those OPEC nations with which we have business dealings. If we are going to have business dealings with them, then they should not be cutting down or artificially keeping low the production of oil.

CLIMATE CHANGE

Ms. KLOBUCHAR. Mr. President, I think there are a number of things we can do in the short term, but I am here today to talk about the long-term energy future and climate future for this country.

In 1944, President Franklin Delano Roosevelt invited delegates from the Allied Powers to a remote New Hampshire resort called Bretton Woods to discuss the future of the global economy. Although the world was locked in a terrible war, these leaders had fresh memories of the Great Depression, a worldwide panic that had left the world's major economies in tatters. They wanted their countries to emerge from World War II on a more stable financial footing.

Over the course of 3 weeks, they created the World Bank and the International Monetary Fund to battle world poverty and to avert currency crises of the sort that had led to the worldwide economic meltdown in the 1920s. It worked. Both the World Bank and the IMF have had their share of controversies in the last decade, but they succeeded in stabilizing the world's financial systems so that in the ensuing six decades there has never been a global financial disaster comparable to the Great Depression.

I draw on this chapter of history because today the world faces another grave international threat that demands imagination and leadership. This time, the threat is environmental. I am speaking, of course, of global climate change.

The heating of the Earth is a threat every bit as grave as the financial catastrophe that threw the developed world into chaos 80 years ago. The science is clear. Global temperatures are up 1 degree in the last century. That doesn't sound like much, 1 degree in the last century. To put it in perspective, they have risen only 5 degrees since the height of the ice age. The Environmental Protection Agency of this country predicts that temperatures could rise another 3 to 7 degrees in the next 100 years. The consequences are frightening: rising ocean levels, which we are already seeing, increased drought, wildfires, and destructive weather patterns.

The Presiding Officer knows from being in the Midwest that our constituents aren't as focused on rising ocean levels. But I can tell you, in Minnesota they are focused on the fact that last year Lake Superior was at the lowest level in 80 years. Why would the oceans be high and Lake Superior be low? That is because Lake Superior, as you know, is a lake, and when the ice that forms on that lake melts quicker, the water evaporates and the water level goes down. Why do we care about that? You think, are you going to swim in that cold lake? A lot of Minnesotans, probably not, but it matters because our barges cannot get through and it has had a severe economic impact for barge traffic and the economy in the Duluth area.

You can see the rising impacts of global warming and what we are seeing across the country: increasing wildfire risk—remember the fires we had this year in California? We had some in northern Minnesota as well—decreasing water availability. That is in 2007. You go up to the 2020s, increased mortality from heat waves, floods, and droughts; in the 2050s, millions more people face flooding. You go up, if we do not do anything, to some profound and very serious consequences.

Two weeks ago, President Bush gave a speech in the Rose Garden to announce a new initiative on global warming. To be perfectly blunt, I really didn't see anything new in the President's announcement and no initiative that had not been discussed before. The President has proposed that we wait

until the year 2025 before we even stop the increase in the emissions of greenhouse gases.

He did not call for a cut in emissions that was immediate. He did not call for concrete steps to meet the goals. He said it would be unwise to do it at this time.

I believe Americans are leaders not followers. When the world faces a crisis, they do not wait for someone else to go first. Our country has always stepped in and taken leadership. When we see a problem in our own backyard—and my people in Minnesota see shrinking wetlands and endangered wildlife, they have seen what has been going on with our ski resorts and ice fishing—they do something about it.

Our friends across the seas in Europe have recognized the challenge. They have introduced a plan to cut greenhouse gas emissions covering 27 countries. It is a plan covering more than 12,000 industrial sites in 27 countries. And they did it using a concept known as cap and trade.

This was actually started in our country. That is how we reduced acid rain. The European Union did not do everything right. They will be the first to admit that. Their emissions targets were too high. They issued too many carbon permits. But they are getting it back into equilibrium. I believe we are going to learn from what they did, and we will do better when we do it in this country. But the point is, many of these European countries rose to the challenge and took leadership.

Here at home, our country's private investors and business leaders already recognize this challenge. Nationally, venture capital investments in green and clean technologies have increased dramatically. In 2006, venture capital investment in green technologies in the United States reached $2.9 billion, up 78 percent from a year earlier.

Not only is clean technology the fastest growing venture capital sector, it is now the third largest category of venture capital investment. So when we talk about some of the things Senator DORGAN and I have been talking about with energy, and we mentioned wind, we invented a lot of that wind technology in our country. But now we have fallen behind in wind production to other countries that have government policies in place that pushed that investment.

From what I can see, wind is going to bring jobs across our country. So is solar. So is biofuels. All of these things that cut our dependency on foreign oil and invest in the next generation of new technologies, that money is starting to filter into that area. But I think we can do better in our country.

CEOs from major corporations such as DuPont, Duke Energy, and General Electric see the opportunities, and they are making investments of their own. More than 200 major U.S. corporations such as American Electric Power and DuPont have started buying carbon offsets that are now traded on the new Chicago Climate Exchange. You can see the global investments I talked about in renewable technologies that have been increased in wind, in solar, and other kinds of renewable technologies.

A company subsidizes a project that reduces greenhouse gas pollution, building a wind turbine, for example, then recoups its investments by selling that offset to another company on the Chicago Exchange. The Chicago Exchange is new, but it reports that it kept 10 million tons of carbon dioxide out of the atmosphere over the last 4 years.

Meanwhile our Nation's Governors and mayors have also stepped up to the challenge. Governors in five Western States, including California and Arizona, have announced they will work together to reduce greenhouse gasses by setting regional targets for lower emissions and establishing a regional cap-and-trade system for buying and selling greenhouse gas credits.

California alone plans to cut its greenhouse gas emissions 25 percent by the year 2020. The Western Greenhouse Gas Initiative builds on other regional initiatives, especially the landmark New England Regional Greenhouse Gas Initiative, with seven Northeastern and Mid-Atlantic States that have also agreed to a regional cap-and-trade system set to take effect next year. You can see all of the States that have been involved.

In my home State of Minnesota, we have one of the most aggressive renewable electric portfolio standards in the country; a 25-percent reduction. We did this on a bipartisan basis. We did it with the support of ExelEnergy, our biggest electricity company. We did it the way we do things in Minnesota, with a focus on results and getting things done—Leadership.

There is also the U.S. Mayors' Climate Protection Agreement. More than 400 mayors representing over 59 million Americans have pledged to meet or beat the Kyoto Protocol greenhouse gas reduction goals in their own communities. Among the signatories to this agreement are cities in my home State of Minnesota: Minneapolis, St. Paul, Rochester, and Duluth.

I admire these States and communities that have signed onto this agreement for their initiatives and what they are doing. They should be an inspiration for this Congress for national action. There is a famous phrase, ''the laboratories of democracy.'' That is what Justice Brandeis said in one of his most famous opinions when he described the special role of States in the Federal system.

He said:

> It is one of the happy incidents of the Federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.

But Brandeis did not mean this would serve as an excuse for inaction by the Federal Government. We have States all over this country, Governors, legislatures that have been brave, that have been courageous in taking action on climate change. But never, when Justice Brandeis talked about the one courageous State going above the norm, doing something different, did he mean there should be inaction by the Federal Government. Good ideas and successful innovations are supposed to emerge from the laboratory and serve as a model for national policy in action. That is now our responsibility in Congress.

In about 1 month we will have the chance to take up that responsibility. We will have the opportunity to vote in the Chamber on landmark climate change legislation, the Lieberman-Warner bill. I thank my colleagues, Senator WARNER and Senator LIEBERMAN, for their hard work on this bill. I thank our chairwoman, Senator BOXER for her leadership as it moves forward. At this very moment we are listening to Members make changes to the bill, doing everything we can to make the bill as strong as possible.

The truth is, we can no longer delay. I have been to Greenland and have seen those humongous icebergs melting in the ocean, and I have seen the effect of this in my own State.

The Union of Concerned Scientists estimates if we start today and cut emissions by just 4 percent a year, we could achieve an 80-percent reduction in greenhouse gas emissions by 2050. But if we wait just 10 years, we would have to double that annual rate of reduction.

This is forward-looking, bipartisan legislation. It is comprehensive, and it is carefully tailored. It is our opportunity to show the leadership for which Americans have always been known.

I pledged last week I was going come to the Senate floor and give a speech about this legislation on different aspects of why it is so important to move forward and to show leadership on climate change. Today, I think it is obvious that as we face these long-term consequences of doing nothing with our energy policy, when it comes to electricity or oil, this is our chance. This climate change legislation will play a major role in developing the new technologies we need.

Mr. DORGAN. Will the Senator yield for a question?

Ms. KLOBUCHAR. I will yield.

Mr. DORGAN. Mr. President, the Senator from Minnesota talked about the importance of renewable energy, which I certainly agree with her. Is it the case with renewable energy that we have done a pretty pathetic job as a country to incentivize renewable energy?

In 1916, we put in place tax incentives to produce oil and gas. They have been in place permanently for almost a century now, tax incentives to produce oil and gas. By contrast, with wind and solar and renewable energy, we put them in place in 1992 short term incentives. We have extended them short

term five times and have let them expire three times. It has been a pathetic response to renewables.

The current tax incentives expire at the end of this year, and I have introduced legislation to extend the production tax credit for 10 years. I believe our country ought to say to the world and to investors: Here is where America is headed for a decade. Count on it. Believe in it. Renewables, solar, wind, and so on need a clear signal for investment. You can count on these investments because this is where America is going.

Is it not the case, I would ask the Senator from Minnesota, that we have not nearly done the job in incentivizing renewables and establishing a national policy. Does she agree?

Ms. KLOBUCHAR. Senator DORGAN, that is completely accurate. When you look at what we have done with oil companies, with the giveaways that we had for years and years and years, this Senate was one vote short of blocking a filibuster. We tried to change that, tried to take some of those oil giveaways and put them in the hands—we see record profits from the oil companies—put them in the hands of some of these renewables producers.

We were one vote short, but we have another opportunity. That is what the Senator from North Dakota is talking about, extending the tax credits for wind energy, solar, geothermal, and other kinds of renewables.

We did it in the last bill we passed through this Senate. We were able to, with some of the economic work we did with the mortgage crisis, extend that tax credit for 1 year. But we would like to do it for longer. Senator DORGAN has a bill for 10 years. I have a bipartisan bill with Senators SNOWE and CANTWELL expanding it for 5 years. The problem is, it has been a game of red light, green light. It goes on again, off again. It is hard to follow that investment, to follow in the way that we would like and the way that happens in other countries because they never know. You can show, 8 months before these tax credits go off, that the investment decreases.

This is no way to run a national energy policy. It is no way to run a national environmental policy. And that is why today I spoke about the leadership and the potential for leadership in this country.

We once put a man on the Moon. With that came not just winning the race against Russia, with it came all kinds of technology: the CAT scan, the space sticks that my family would take on camping trips in the 1970s. With that came technology. That is what we are trying to do with this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

DRUGBUSTERS' SUMMIT

Mr. TESTER. Madam President, I would like to thank the Senator from Minnesota and the Senator from North Dakota for their comments on renewable energy and climate change. That is definitely an issue I hope we take up sooner rather than later, and hopefully we will have some commonsense solutions to the problem so we can move this country forward both in the area of reducing our effects on climate but also economically because it is a tremendous opportunity with the right piece of legislation.

I rise today to urge the inclusion of the JAG/Byrne grant funding in the emergency supplemental that we will consider in the coming weeks. A week ago, I organized a summit of drugbuster law enforcement in my home State of Montana. I asked all of the leaders of Montana's drug task forces to come together to talk about Federal funding. It is a critically important issue.

Many of them drove hundreds of miles across the State in a spring blizzard to take part in this summit. The drug task forces are made up of dedicated law enforcement officers from every part of Montana: sheriffs' deputies, narcotics officers, local and State police, and undercover agents. They work together across jurisdictions to bust drug smugglers, as well as those who grow or manufacture instate.

Our State of Montana has 56 counties. There are, of course, a lot of different regions that deal with the task forces, that deal with catching the drug manufacturers and smugglers. It is critically important that these folks work together.

There is cause for concern because the President proposes slashing $350 million from the drug task forces nationwide. If that happens, Montana will lose a staggering 70 percent of its national drug fighting money for the upcoming year, and the task forces would probably have to lay off 27 agents, leaving only 22 agents to battle drugs statewide. In a State the size of Montana that is impossible.

We should not let that happen. We should find a way to fund these drug task forces in this supplemental, this spending bill that we are going to be considering in a few weeks. If we do not, these cuts will cripple the progress that we have made up to now in the war on drugs in rural States such as the State of Montana.

These drug task forces are success stories. The officers who are on the front lines keep drugs, the drug smugglers, and the drug dealers off our streets. They make our communities safer; they reduce crime, and they make a place like Montana a whole lot safer to live and raise a family. These drug busters work together to get the job done.

Because drugs are not limited by borders, these tasks forces rely on Federal funding to facilitate the cooperation across the many jurisdictions of Montana, and it works.

Last weekend, folks picking up some trash in Havre, MT, stumbled across a dumped meth lab. They called the police, and within minutes the task force agents were there on the scene to help clean it up and keep the community safe.

A week ago Monday I heard about a drug operation busted in a remote part of southeastern Montana; so remote, in fact, the task force needed the help of the National Guard helicopter to find it. Officers found 3 pounds of methamphetamine.

Last summer, the Northwest Montana Drug Task Force investigated a case that took them across State lines to Salt Lake City, UT. In the end, they seized 2 pounds of cocaine. They took 20 illegal weapons off the streets, and they say they couldn't have done it without their ability to work across jurisdictional lines and work together. For example, one task force busted a meth lab in a home. Through surveillance, they knew children were present. They took the precautions not to put the children in any more danger. When the bust was made, one child inside tested positive for meth because he was living in a house where they were cooking meth. Even his toys were covered with meth resin. This case set the standard for the way officers deal with and protect children in harm's way. In only 1 year, Montana'a drug task forces rescued 84 children from homes where they were being exposed to drugs and drug dealers.

To me, restoring this funding is a no-brainer. As one of the officers put it: We will end up spending much more money in the future if we have to play catchup.

During the summit last week in Montana, officers told me again and again that without Federal funding our small communities will be devastated. Our children will be exposed to more drugs and, therefore, more crime, and families will be torn apart.

I hope we can all work together to restore this funding. Montana and the Nation cannot afford to do otherwise. Americans deserve better.

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

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

The bill clerk proceeded to call the roll.

Mr. BINGAMAN. Madam 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.

Mr. BINGAMAN. Madam President, I ask unanimous consent to speak as in morning business for 15 minutes.

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

ENERGY PRICES

Mr. BINGAMAN. Madam President, I wish to take a few minutes to discuss what has become a very tortured topic for the entire country; that is, the prices for oil and gasoline and diesel.

I would like to respond, first, to the President's misstatements about Congress's role in this situation. These

are misstatements he made on Tuesday at his press conference. Then I would like to talk about what I believe are some of the real causes of the energy situation and what constructive steps we can take to address those causes.

First, with regard to the President's statements, on Tuesday he suggested the Congress is to blame for the current price situation Americans are seeing when they go to fill up at the gas pump. He cited three reasons to conclude that.

First of all, he was blaming Congress for preventing oil companies from exploring for oil and gas in the United States. Second, he was blaming Congress for blocking efforts to build more refineries in the United States. Third, he was blaming Congress for blocking increases in the U.S. nuclear electricity production capacity.

Frankly, I think the President's comments are disappointing in several regards. First, of course, they are very partisan. But second, the charges the President made are simply not borne out by the facts.

On exploration and production of natural gas in this country, Congress has taken significant steps on a bipartisan basis to enhance oil and gas production. Through enacting the Gulf of Mexico Energy Security Act of 2006, Congress made available 4.74 trillion cubic feet of natural gas and 1.26 billion barrels of oil off the Florida Panhandle.

Ironically, Congress was required to pass that law because of steps that were taken early in the Bush administration. In her first year in office, in 2001, Secretary of the Interior Gale Norton cut the size of the scheduled Outer Continental Shelf lease sale in the area by 75 percent. So with the stroke of a pen, the Secretary of the Interior, in 2001, put off limits over 6 trillion cubic feet of natural gas and over 1 billion barrels of oil from an area that had been proposed for leasing by the Clinton administration, I would say, with the concurrence of our former colleague, Lawton Chiles, who was then the Governor of Florida.

So while, undoubtedly, a politically popular stance for the Bush administration in Florida when this action was taken by Secretary Norton, this was hardly an action that was intended to enhance oil and gas production in the country.

In fact, large areas of the Outer Continental Shelf are currently off limits to oil and gas development and production not just because of congressional moratoria but because of Presidential withdrawals that were first put in place, in 1990, by the first President Bush. This current President Bush could exercise real leadership in this area, if he wished to, by eliminating these Presidential withdrawals that were first put in place by his father.

We are talking about a significant area. There are some 574 million acres of the OCS, or Outer Continental Shelf, that are unavailable for leasing, and virtually all that is covered by Presidential withdrawals, which could be eliminated by this President with the stroke of a pen.

The Arctic Refuge is another issue raised by the President. He failed to mention drilling in the Refuge will do nothing to address the high price of gas people are faced with today. I think everyone who has looked at the issue recognizes that not a single drop of oil would come to the lower continental United States from the Arctic Refuge for at least 10 years.

The Energy Information Administration has estimated that production from the Arctic Refuge would, at its peak, reduce our reliance on imports by about 4 percent, from 68 percent to 64 percent. That is the estimate the Energy Information Administration has given, which, of course, is part of our own Department of Energy.

Other areas of Federal lands that are much more appropriate for development can and should be drilled. In fact, of the 45.5 million acres of Federal onshore lands currently under lease by industry, there are over 31 million acres of those lands that are not currently being produced. Likewise, there are 33 million acres of Federal Outer Continental Shelf that are under lease; that is, the Government has done what it should do to make these areas available, but they are not being produced.

The processing of drilling permits on Federal lands has surged over the past several years. It has more than doubled between 2001 and 2006. At the same time, the administration reported that in five key basins in the Rocky Mountain States, 85 percent of oil resources and 88 percent of natural gas resources are currently available for leasing and for development.

Congress has also funded important research and development programs to enhance the best of production. It is simply inaccurate finger pointing to say that Congress is impeding oil and gas development in this country.

On refinery capacity, which is the second point the President made in his press conference, refining capacity has increased by about a million barrels per day during President Bush's tenure, from 16.6 million barrels per day in 2001 to 17.5 million barrels per day in 2007 through capacity expansion and existing refineries. There have been no efforts from Congress to try to slow down that expansion. Refiners have been asked whether they would like to build new refineries as opposed to expanding capacity at existing refineries, and those refiners have told us in hearings before our Energy Committee that they would rather expand capacity at existing refineries. We have never heard support from anyone inside the oil industry regarding the President's curious plan to build refineries on former U.S. military bases. As far as I know, no Member of Congress objects to that; it is just that the companies that are in the business of constructing refineries have not decided that it makes good sense for them from an economic point of view.

The economics of refining are not very good at the moment, as gasoline prices are not yet fully reflecting the jump in crude oil prices. U.S. refining capacity is at about 85 percent utilization at the current time, as many refiners are losing money on every gallon of gasoline they produce. Clearly, constraining refinery capacity is not our current problem.

The third issue the President attacked the Congress about was nuclear energy production. Here again, Congress is not standing in the way of increasing nuclear production capacity. In fact, Congress over the past 3 years has put in place one of the most favorable sets of incentives for nuclear power development anywhere in the world.

For example, if a nuclear plant is proposed for licensing and is delayed because of a lack of action by Federal regulators, the proponents of the plant can get Federal payments to compensate for that delay. Now, that was part of the 2005 legislation we passed. No wind power developer can get that kind of a subsidy. No solar power developer can get that kind of a subsidy. We also provided tax incentives for the construction of new nuclear powerplants. So if the Congress passes global warming legislation—I know the administration and the President are opposed to that, but if we do, according to the Energy Information Administration, the most significant impact of that global warming legislation would be to provide a powerful new incentive to promote more nuclear power development in this country.

So let me move on from the discussion of the President's charges to a short discussion of what I consider the real causes of current oil prices. I think to understand what is going on here, it is critical to put these oil prices in the broader economic context. The current increase in oil prices is, to a large degree, a symptom of our ailing economy. Oil prices and the value of the U.S. dollar have been very strongly linked over the last year. As the value of the dollar declines, oil prices go up.

We have heard recent testimony before our Energy Committee that confirms that investors are seeking protection from inflationary risks associated with the weak dollar and from credit and wider financial markets in which they have lost confidence. As one witness put it, oil has become the new gold, and that is why speculators and others are investing in oil. Higher oil prices in turn weaken our economy, so we are caught in a downward spiral in which a weak economy is resulting in high oil prices, and high oil prices are, in turn, further weakening the economy.

So the question is how do we stop this downward spiral. This is a large task. It requires, first and foremost, a return to rational fiscal policy that will restore balance and investor confidence in our markets. That includes

an honest accounting of the costs of the war in Iraq, a figure that we now know is going to be in the trillions of dollars. Spending has also been accompanied by the administration's tax policies which have been extremely damaging to the country's long-term fiscal health. Every American family that sits around the kitchen table and tries to balance a budget recognizes the simple fact that spending more than you earn or more than the revenue you can bring in results in, after a period, your creditors eventually coming calling. That is what is happening to the dollar today. Apparently, the stewards of the U.S. economy and this administration have failed to absorb that simple reality.

Let me talk a little about policies to reduce oil prices in the short term. There are modest but important measures we can enact to increase our oil supply and reduce our demand. On the supply side, we need to immediately stop removing oil from the market to fill the Strategic Petroleum Reserve. It simply makes no sense to be putting $120 per barrel oil underground. According to the most recent Energy Information Administration forecast, oil demand in the United States is expected to decline by 90,000 barrels per day in 2008. This is the kind of signal we need to send to the market in order to see some relief from current prices. However, we are taking 70,000 barrels per day off the market to add to the Strategic Petroleum Reserve which we all recognize is about 97 percent full right now. We are basically wiping out any positive effects from the decrease in demand. This is a policy completely wrongheaded and should be stopped immediately. I compliment all three of the candidates for President for embracing this recommendation that we eliminate the filling or we suspend the filling of the Strategic Petroleum Reserve. I wish the administration would support that simple measure.

On the demand side, we need to decide whether we are ready to get serious about educating consumers to take more responsibility to reduce consumption. We know that 5 miles per hour slower that a person drives will increase our fuel efficiency for that individual by about 7.5 percent. We also know that energy-efficient, properly inflated tires increase fuel efficiency by about 4 percent. Regular car maintenance can increase fuel efficiency by about 2 percent. So Americans individually could use about 10 to 15 percent less gasoline by adopting these commonsense measures. But to see we do that, we will need publicity out there to educate folks on the simple steps they can take to reduce consumption. In the medium term, we need to ensure there is a cop on the beat on the oil markets.

There are two key steps we should take to improve Government oversight of the oil markets. First, the Secretary of Energy needs to have a role in overseeing oil markets. It troubles me that the people at the New York Mercantile Exchange on which oil is traded and the Commodity Futures Trading Commission which regulates that exchange seem to be the only people who think that speculators are not influencing oil prices.

Here is a quote from the Wall Street Journal on March 21 of 2006. It says:

> Hedge funds are taking ever-larger bets in a futures market that is smaller than the stock or bond markets, and the funds are using borrowed money to maximize their bets, magnifying the impact on energy market prices.

So clearly, the Secretary of Energy and the 500-plus employees he has there in his Energy Information Administration who work every day to analyze energy data, forecast energy supply and demand, and prices should at a minimum provide insight and advice to market regulators at the Commodities Futures Trading Commission. Perhaps this could help the Commodities Futures Trading Commission come to understand the role of speculators in that market.

Second, we need to shed light on the so-called dark markets. Markets that trade U.S. oil or are located in the United States should be subject to U.S. regulation. It is unacceptable that an exchange that is based in Atlanta, GA and trades U.S. crude oil that is delivered in Oklahoma is regulated in the United Kingdom, not subject to the laws and regulations that we in Congress put in place to govern the U.S. futures market. It is also unacceptable that over-the-counter markets are regulated neither here in the United States nor in the United Kingdom. There is simply no regulatory body that can see these over-the-counter transactions.

Let me also say a few words about policies that will not reduce gasoline prices. First, there is a proposal to suspend the tax on gas and diesel. While I can appreciate the temporary public relations success that might accompany this tax suspension, it would come at the expense of fiscal common sense and sound energy policy. I agree that high gasoline and diesel prices are hurting consumers, but additional deficit spending will only help accelerate the downward trajectory of our economy as a whole. This is simply the latest in a long line of proposals that seek to score political points during an election year at the expense of good energy policy.

There are three main objections to the proposal. First, it would increase deficit spending by nearly $10 billion while saving motorists about $25 per person. If you do the math, you find that even if all of the savings are passed on to the consumer, which is a very unlikely outcome, the savings per person is negligible.

If you assume that the average motorist drives 12,000 miles per year and gets 22 miles per gallon, you can calculate that the amount the average person would save in a 3-month period is $25.50. So adopting the fuel efficiency measures I have discussed earlier, including shaving a few miles per hour off the top highway speed, would be much more effective in reducing the cost of gasoline to the average consumer.

Madam President, how much time remains?

The ACTING PRESIDENT pro tempore. I believe the Senator has used his 15 minutes.

Mr. BINGAMAN. Madam President, I ask unanimous consent for an additional 5 minutes.

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

Mr. BINGAMAN. Madam President, the second argument I wanted to raise related to this proposed suspension of the gas tax is the idea that it would be reinstated in September when prices might well be as high or higher than they are today would be very difficult and very unlikely to occur, frankly. We are talking about reinstating the gas tax in September. I think that is the proposal the Senator from Arizona has made: Let's suspend the gas tax now, or at Memorial Day, and let's reinstate it on Labor Day. Well, the problem with that is Labor Day is about 2 months before the election. It would not be politically feasible to have a single-day price increase on September 1st of 18.4 cents per gallon for gasoline and 24.4 cents for diesel. I don't think anybody—any politician in his or her right mind—would vote to impose that kind of a tax increase at that time. Prices could easily be as high or higher on September 1 as they are today. It is simply not possible to me that Congress will then choose to increase the price that consumers pay at the pump.

The third argument is that this tax suspension would stimulate demand for motor fuels without increasing supply. In fact, we would see something in the nature of a price increase. The best explanation of this was done by Paul Krugman, a respected economist who writes for the New York Times and teaches at Princeton, in an article he did on April 29. He said in that article, I think the conclusion was, the McCain gas tax plan is a giveaway to oil companies disguised as a gift to consumers.

The obvious point he was making is that under the basic rules of economics, the fact that Congress would suspend the gas tax would do nothing to ensure that consumers benefited from the suspension of the gas tax. The whole notion that you are going to see the price of gas at the pump drop 18 cents because Congress says the tax is all of a sudden suspended is not realistic.

In conclusion, we as a country and we as a Congress need to get serious about energy policy. It is an election year. While there is always a tendency to take rhetorical stands in the runup to an election, the American people understand that. I think they discount what they hear from Washington as the

election date begins to arrive. That is one reason they don't always hold Congress in the highest esteem. Proposals that are mostly feel-good propositions do not fool voters for long—if they fool them at all.

That said, there are a number of concrete steps we can take that will help. We should freeze the filling of the Strategic Petroleum Reserve—suspend that for the time being. We should take some effective actions to bring the oil markets under better control with U.S. laws and regulations. Let's be sure consumers know what they themselves can do to reduce their own demand. I hope that with oil at $110 to $120 per barrel, which it has been for several weeks and which it may well be for several more weeks or months ahead—or even a longer period—I hope we will give this topic the serious attention it deserves.

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

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

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam 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.

Mr. CORNYN. Madam President, today, marks more than 2 years—by my count, 738 days—since Speaker PELOSI said:

> Democrats have a commonsense plan to help bring down skyrocketing gas prices.

That was on April 24, 2006—738 days ago. I think it is important to look at what has happened to the price of gas and to see whether her prediction was correct.

Lo and behold, we find the average price of a gallon of gasoline in America at $3.62, up $2.33 from the time when Speaker PELOSI became Speaker in January of 2007. Again, that is a rise from $2.33 a gallon to $3.62 a gallon.

I will tell you we have been asking and waiting, and the American people have been waiting and watching, to see what Congress is going to do to help relieve some of this pain at the pump. The American people want us to work together to try to find commonsense solutions to help them with this increasing pain they are feeling in the family budget.

Do you know that taking the difference between $2.33 a gallon and $3.62 a gallon represents roughly a $1,400 increase in the cost for gasoline for the average American family? Of course, I don't have to tell anybody here, or anybody listening, that this is necessary for driving the kids to school, driving to work; it is necessary also to provide fuel for the airplanes Americans fly in. This is an American problem, and I suggest we need to come up with an American solution.

The problem has been that about 60 percent of our energy needs in this country are now satisfied by imported oil and gas from other parts of the world. That is a national security challenge because, of course, to the extent which others supply our energy needs, it means they can turn off the spigot; or if hostilities were to occur that would, let's say, for example, block the Strait of Hormuz, there could be an economic body blow to the United States as a result of the restriction on our energy supply.

We need to recognize there are certain things that are irrefutable or, I should say, maybe unchangeable by Congress. We can pass a lot of laws and repeal laws, but we cannot change the law of supply and demand. Try as we might, Congress has neglected that for these many years. While we have done some good things on conservation, passing fuel efficiency standards recently, and we have also supported renewable fuels, which are an important part of the energy supply, you cannot put wind energy in your tank to drive your kids to school.

We need to recognize that with a fixed supply of oil, which is 70 percent of the price of gasoline, we are competing globally with countries such as China and India, rising economies where people want a better quality of life, and they realize one key to that is affordable energy. America has not had that exclusively, but we have had it pretty much to ourselves, and others want what we have, which is a good quality of life and standard of living. That comes with affordable energy.

So what are we going to do about satisfying the laws of supply and demand? Of course, we know Congress is the primary culprit when it comes to obstructing access to American natural resources. I remember that when I was growing up, we would talk about different countries in school and about how some were blessed with abundant natural resources and how that was a good thing because the citizens of that country could use those natural resources to enhance their quality of life—in this case, provide for affordable energy. But we have simply, by our inaction—and I would say to the extent it applies—actually acted affirmatively to place our natural resources out of bounds in a way that has exacerbated and not solved the problem.

I know how popular it is these days to say it is all big oil's fault. The blame game. Then we have people saying we need another investigation. Well, the blame game and investigations are important, and investigations and oversight is for Congress, but that is not producing a single drop of additional energy. We need to do that and we need to act today.

A moment ago, a group of Senators announced an omnibus energy bill that would satisfy America's need for more American solutions to our energy supply. My hope is that by taking advantage, for example, of the million-barrel-a-day capacity Alaska could supply, by taking advantage of the Outer Continental Shelf, such as we have in the Gulf of Mexico, with the vast oil deposits there, and by taking advantage of our abundant natural resources in the form of oil shale in the West, we could relieve our dependence upon imported oil in this country to the tune of some 3 million barrels a day.

I know there are environmental and safety concerns with developing our oil and gas resources right here at home. But I invite the people who are concerned about that and who do not believe we can do so to come to Fort Worth and see the Barnett shale, which is an abundant, plentiful source of natural gas being developed right in the city of Fort Worth. As a matter of fact, if you fly into DFW Airport, you will see drilling rigs on the airport property. The tract of land in Alaska that is going to be explored and used for producing this million-barrel-a-day-plus oil that is located in the Arctic is going to be on a postage stamp-size piece of property.

I see the distinguished ranking member of the Energy Committee. I was saying the city of Fort Worth is producing the Barnett shale and actually drilling gas at DFW Airport and that you can see the rigs there.

I suggest that if we can produce those natural resources in Texas and in Fort Worth on the DFW Airport property, American energy producers can do it in Alaska. People are concerned, as they should be—and I wish they would act on those concerns and not just complain about it—about $120-a-barrel oil. It has been projected that if we were to take advantage of the natural resources God has blessed us with in the Arctic, we could produce oil there that costs roughly $55 a barrel. So $120 a barrel or $55 a barrel? You pick.

If we are talking about developing oil resources from the Outer Continental Shelf, even beyond the horizon, as we did in lease sale 181 in the Gulf of Mexico—it is 300 miles off the coast of Texas. You cannot even see it. Yet we have a way of producing those abundant resources. If Congress will simply quit the blame game, the finger-pointing and wake up to the fact that the American people are feeling pain not only at the pump but in their family budgets—they are looking for Congress to get out of the way and let the American people produce the natural resources we have been blessed with, in a way that will satisfy the laws of supply and demand, by producing as much as 3 million barrels of additional oil, which will then have a dramatic impact at the pump and help American families meet their energy needs at a reasonable price.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. DOMENICI. I didn't hear the Senator from Texas say he was finished.

(The remarks of Mr. DOMENICI pertaining to the introduction of S. 2958 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. CORNYN. Yes, I yield the floor.

Mr. DOMENICI. I thank the Senator.

Mr. DOMENICI. Madam President, I ask unanimous consent that the floor time now be given to Senator KENNEDY, who has been patiently waiting, for which I am grateful.

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

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

Mr. KENNEDY. Madam President, I thank my friend and colleague from New Mexico. We will not have a chance today to talk about mental health parity. But whenever I see him speak on the floor I am further inspired to make sure we are going to get that legislation passed in this Congress. I thank him for all of his good work in that undertaking. We are strongly committed to ensuring that this very important health policy issue is going to be addressed in the Congress.

I see my friend from Illinois. I know he was seeking the floor. I ask unanimous consent that he be recognized after I finish.

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

UNEMPLOYMENT INSURANCE EXTENSION

Mr. KENNEDY. Madam President, tomorrow we are going to have the report by the Bureau of Labor Statistics about the unemployment figures in this country. Those unemployment figures may be statistics to some, but they are lost hopes and dreams to millions of our fellow citizens. They are a key indicator of the state of our economy. I think most of us who have had the opportunity to travel our States and listen to working families understand the extraordinary pressures these families are under, the incredible anxiety that goes to the heart and soul of these families. They really wonder if somehow they are guilty in some way for not being able to deal with the economic challenges they are facing, whether it is the increased cost of gas at the pump, or whether it is the increasing cost of tuition, the increasing cost of health care, or the challenges they are facing with their mortgages.

This afternoon I want to speak for a few minutes about the issue of unemployment and how that has impacted so many of our fellow citizens and what the implications are for so many of our fellow citizens. Even though we do not have the figures, I think we can reliably suggest there is going to be a further increase in the number of unemployed Americans when we get the figures tomorrow morning. These are the figures so far this year: we see 76,000 jobs lost in January; in February, 76,000; some 80,000 in March—232,000 jobs were lost over the period of these 3 months. There were 50,000 construction jobs lost. That sends a message in and of itself.

If we look at this chart, we see the total number of unemployed. These are the Bureau of Labor Statistics figures. In March of 2008 we have 7.8 million unemployed and only 3.9 million jobs. That's two workers for every job. Here we have individuals, Americans, who have worked hard, played by the rules, and, through no fault of their own, because of the failure of fiscal and monetary policy, they have lost their jobs. Yet when we look back at the total number of job openings, they are limited. These Americans are getting squeezed. How are they going to be able to find jobs when the jobs are not available even if they have the skills? We are going to come back to that in just a moment.

These families are hurting. That is why it is so important that we have an increase in the unemployment compensation program that is now in surplus of about $35 billion. That fund has actually been paid into by American workers. They have paid into the fund $35 billion, and the reason they paid in was for circumstances such as this, a fiscal and monetary economic policy which has failed them. They are entitled to receive the unemployment compensation. Yet we have an administration which has consistently opposed extending unemployment benefits. I am going to come to that in just a moment too.

Here are recent veterans who having served, are having a hard time finding work. The total workforce, 5.1 percent unemployed; for these veterans serving after 2001, we can see their unemployment is 6.1 percent. And the young male veterans, serving after September 2001, are at 11.2 percent. These are all veterans, but this is young men—11.2 percent. These young Americans were the ones who had the burden of conflict and now they are facing the burden, at home, of an economy that will not serve them and serve their interests. Where is the burden falling? It is falling on our young veterans, and it is falling particularly hard.

This chart indicates where the burden of this economy is falling. We are finding out it is increasingly falling on adult women, who are seeing a sharper rise in unemployment rates than men. There is a 21-percent increase for women, and 15 percent for men, between March of 2007 and March of 2008. Do we understand how it is squeezing women? Women are more likely to have subprime mortgages than men, despite having slightly better credit scores. Women are having their homes foreclosed at a more rapid rate than men, their unemployment rates are going up, and their savings are lower. They are the ones who are taking the brunt of this recession along with young veterans.

Here we find women's earnings are falling faster than men's. Men's median income in 2007 fell one-half of 1 percent for men, women's fell 3 percent. We see increasing numbers of women are unemployed, and the wages of women who have jobs are being adversely impacted to a much higher and more significant degree.

We see what has happened generally with regard to the economy. The stock market lost $2.7 trillion in value since May of 2007. This crisis has wiped out $2.7 trillion in home values. The dollar has lost one-third of its value, and the Federal debt has nearly doubled since this President took office. Again, we are looking at home values, which is the wealth for so many middle-income and working families—$2.7 trillion effectively has been wiped out during this last year.

All these figures show middle-income families, working families, are taking the heavy brunt of the recession we are facing. We should ask ourselves what are we doing about this. If we look at what we have done at other times, we have granted extended unemployment benefits. Look at the last recessions we have had, from January 1980 to July 1980, and then July 1981 to November 1982, the average number of weeks of unemployment was 16 weeks. And we extended unemployment compensation.

The next recession we had was July 1990 to March of 1991. The average weeks of unemployment was 13.9 weeks, but we had an extension of unemployment compensation.

In March 2001 to November 2001, 15 weeks was the average number of weeks of unemployment, and we had an extension of the unemployment compensation.

Here, look at this: 16.2 weeks is the average number of weeks workers are unemployed today—16.2 weeks—and this administration refuses to say the $35 billion that is in the unemployment compensation fund that you have worked for and contributed into that fund, should be available to you when we have adverse economic conditions. These are just the kind of conditions that they are there for. This administration refuses to do anything about it. It is a striking difference for working families who are trying to make it and provide for their families.

Very briefly, this chart demonstrates that during a recession, among the limited economic stimulus measures, unemployment compensation is among the most promising investments—every dollar we invest in unemployment compensation has the effect of $1.64; for infrastructure it is $1.59 for every dollar invested; and it is $1.73 in food stamps. This is from Moody's chief economist. There is much less impact, obviously, for the Bush extended tax cuts.

We should look at what is happening in food stamps—we do not frequently think about the numbers of our fellow American citizens who are dependent on food stamps, but we should pause now. We certainly should if we have been back home and listened to those who have been running the food banks in our States and we find out the condition of those food banks. 28 million Americans are projected to receive food stamps in fiscal year 2009—28 million Americans are going to be eligible for food stamps in 2009. Look at the indicators. This is another indicator

about what is happening in the economy, the kind of pressures that middle-income and working families have.

We could also ask, Why aren't we trying to provide training for these workers who are struggling to find a job? If we improve their skills, they will be able to find a job—is that right? No, it is wrong. What we are finding is Americans cannot access job training programs. This administration has been cutting back virtually every year on job training programs.

Look at this. In Massachusetts alone, for every available slot in a job training program there are 21 workers on a waiting list. Do we understand? There are 21 workers on a waiting list. These are American men and women who want to work, have worked, want to provide for their families, and they cannot even get the training in order to be able to fill the jobs. We have 83,000 jobs in my State that are not being filled today, but we have cut back. This administration has cut back on the training programs. This is the kind of misstep this administration has taken time in and time out.

I just remind the Senate about action that we took just yesterday with regard to students and the student loan program. One urgent step that we must take to ensure that the slumping economy does not prevent young people from going to college is to provide some help and assistance, and we did yesterday.

Right now, in May, students and their parents are applying for financial aid and the loans they need to attend college in the fall. This is happening just as some banks have said they are no longer offering student loans. We cannot allow the slumping economy to limit the horizons of a new generation of Americans. Students and parents need to know we will do everything we can to guarantee that every single student who needs a loan to go to college in the fall will get one, even in these troubled economic times. We will increase the amount of grant aid available to relieve the debt burden on needy students.

Yesterday the Senate passed legislation to do just that. The House of Representatives also passed the legislation just a few hours ago, and President Bush has indicated that he will sign it into law. This is what the emergency legislation does: For students, if private loans through the banks dry up, they can get lower cost government-guaranteed loans to take their place. So no matter what happens in the private loan market, the government loans will be there, and they will be there for them.

This guarantee comes in two ways. First, the bill expands the amount of Federal loans available for a student for 4 years of college from $23,000 to $31,000, an $8,000 increase. Second, it ensures that students will have easy access to Federal loans.

If banks are not willing to make these loans to students, State-based, nonprofit agencies, called the guaranty agencies, will take their place.

So for every student, there will always be someone to provide the loans, either through the private sector or through the Government.

Also, for thousands of low-income students, we increased the grant aid by up to $1,300 a year for underclassmen and $4,000 a year for upperclassmen. That is not a lot, but it is a part of an ongoing commitment to help low-income college students avoid the crushing burdens of debt that inevitably distort their choices for the future.

The bill also helps parents by providing them with better options and better access to the low-cost Federal PLUS loans alternative. This provides help to parents. It allows the parents to delay the repayment on the loans until their child has graduated from college. It makes it easier for parents who have been hit by the mortgage crisis to obtain these low-cost loans; help for the students, help as well for families.

Finally, the bill helps stabilize the overall student loan market by authorizing the Secretary of Education to purchase outstanding federal loans, allowing private lenders to replenish their capital so they can make new loans to students and parents.

For the 6 million students and over 700,000 parents currently relying on low cost federally subsidized loans, these steps mean they will continue to have ready access to these funds, even as the credit markets discourage lender participation in the Federal program. In other words, students and parents will now have multiple avenues to obtain low-cost Federal loans.

Fortunately, Congress has taken prompt action to prevent college students from becoming the next victims of our failing economy, and I commend President Bush for urging us to do so. I am grateful to Senator ENZI, Congressman MILLER, Congressman MCKEON for their partnership on this legislation, and for the support and assistance of the Secretary of Education.

I hope we can replicate this bipartisan effort in tackling other urgent economic issues. There is much work to be done to ensure that Main Street is insulated from the problems of Wall Street. It is clear that the Nation faces a serious ongoing economic challenge. We know what we have to do to put our economy and our country back on track. To do that we need to seize the moment and act immediately to help the millions of Americans who need our help the most.

I yield the floor.

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

Mr. DURBIN. Madam President, I see the Senator from Michigan on the floor. I know she is here to address the same topic as the Senator from Massachusetts, and she has a 5 o'clock conference committee on an important bill pending before the Senate. I ask unanimous consent that she be allowed to speak in my place and that I follow her.

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

The Senator from Michigan is recognized.

Ms. STABENOW. I thank our distinguished assistant majority leader for allowing me to do this. It is very important. I thank my colleague and friend, the champion from Massachusetts, for all of his efforts as they relate to the efforts to make sure college loans are available. Also I want to speak to the fact that we are working together to extend unemployment insurance benefits, and I greatly appreciate his leadership.

I want to specifically today speak to that piece of the effort we are working on together. Because since my colleagues across the aisle blocked extending critical unemployment benefits from the part of our first stimulus package, frankly, the situation has only gotten worse for families in Michigan and all across the country.

National unemployment is on the rise, with our Nation losing 80,000 jobs in March. It is stunning to me when we look at what is happening across the country. I have to say, these are not new kinds of numbers for us in Michigan. We have been seeing these kinds of numbers now for a number of years but we see nationally, in this last January, 76,000 jobs were lost; in February, 76,000 jobs were lost; in March, the highest number, 80,000 jobs were lost; 232,000 jobs cut in the past 3 months.

I remember coming to the floor and having colleagues say: Well, overall unemployment is not high. We do not have a problem. It is below 5 percent. Well, now it has crept up above 5 percent, and we are being told by Goldman Sachs and the Bureau of Labor Statistics that by January, this coming January, the national unemployment rate will be 6.5 percent.

We in Michigan would actually consider that a decrease, because ours is at 7.2 percent. But nationally when we look at that kind of steep increase in those people who are out of work, we need to be paying attention to this. Families, middle-class families, who have worked hard all their lives are finding themselves in a situation, due to no fault of their own, where they are looking for work, trying to keep their family together and, in fact, are looking for us to do what we have always done in times such as these, which is to extend unemployment benefits across the country for families, and particularly for those States that are hardest hit.

We have 10,000 people right now in Michigan every month who are losing unemployment benefits. That for us relates to the fact that we are one of the highest States in mortgage foreclosures, why people cannot afford to pay for their mortgage. So the ripple effect throughout the economy is staggering when we look at the fact that on

top of what is happening to people who are losing their jobs and cannot afford their mortgage, their gas, when we look at what is happening with gas prices.

We in the majority have been coming to this floor and have been doing everything we can in putting forward proposals to deal with the high gas prices. We have not been able to get support from colleagues to truly address this, what needs to be addressed, and even putting food on people's tables and health insurance.

Everything is going up in the wrong direction, including the fact that people are now losing their unemployment benefits. We have been suffering in Michigan through several years of high unemployment, as I mentioned. We have 7.2 percent unemployment right now. In the first half of this year, over 72,000 people exhausted their unemployment benefits. But we are not alone. This is not only a Michigan problem anymore. Alaska, California, Rhode Island, Mississippi, Nevada, Missouri, Oregon, South Carolina, Kentucky, Ohio, all have unemployment rates at or above 5.7 percent. Across the country, millions of Americans are losing what are insurance benefits. We are not talking about public assistance, we are talking about an insurance system that they paid into, that employees come into for these circumstances.

We have not seen the President's willingness, up to this point, to support extending unemployment benefits and, subsequently, my colleagues on the other side of the aisle. This makes absolutely no sense. Frankly, from an economic standpoint, it makes no sense.

Moody's economy.com chief economist Mark Zandi estimates for every $1 spent on unemployment benefits, the economy is stimulated by $1.4. We knew that when we passed the original stimulus package. Rather than a rebate, many of us were arguing that the best way, the fastest way to stimulate the economy was to give dollars directly to people out of work, struggling to make their payments, who on average make 40 percent of their wage from this unemployment insurance system. The people would have to turn right around and go to the grocery store, buy clothes for their children, spend the dollars they receive in unemployment benefits in order to be able to keep going. What we have heard over and over again from colleagues on the other side of the aisle is: We should wait; we should wait; it is not that bad; it is not bad enough. I do not know how many times we have heard the President say, up until recently, ''Well, the underlying fundamentals of the economy are good'' or ''Things really are not as bad as people think.''

Well, they are. They are. The American people know that when they are being hit on all sides with rising costs and lower wages. So I am here today to urge my colleagues to come together to understand what American families are going through, and to support, strongly support, an extension of unemployment compensation.

Let me say in conclusion that this unfortunately is a pattern we have seen over and over again when it comes to blocking those programs that are critically important for American families. Over and over again we see colleagues filibustering issues, stopping us from moving forward on what makes a real difference in people's lives.

It is not only extending unemployment insurance for families and workers in Michigan and across the country, but it is part of a pattern of blocking and obstructing what is important to families in this very difficult economy. Last year my colleagues on the other side of the aisle blocked an energy tax bill that would have increased the production of renewable fuels and helped bring more advanced technology vehicles to the marketplace to reduce our dependence on foreign oil and begin to address what is happening on the gas price side of things.

But, unfortunately again, these efforts were blocked time and time again when we brought forward proposals that relate to energy and pricing and accountability for the industry. Moving tax breaks from oil companies to alternative fuels or to consumers, we have been blocked. I have to say also in conclusion today that once again, a critical issue to this safety of the American public has been blocked, and that is the question of whether we are going to modernize air service in this country; whether we are going to truly have a passenger's bill of rights; whether we are going to update a system that is clearly overloaded, clearly in crisis. We have been trying all week to bring to the floor critical changes to upgrade the American airline system, and once again these efforts have been blocked and blocked and blocked. We have a whole range of needs in this country that are urgent for the safety of those of us who are flying with our families and are counting on the fact that everything that is being done to make sure that system is the best in the country and it is safe.

We see that families are struggling with gas prices. We see in my home State again 10,000 people a month losing unemployment insurance who are trying to figure out how to make ends meet while we see blocking after blocking, filibuster after filibuster, here in the Senate stopping us from moving forward on important legislation.

I urge my colleagues to listen to the folks at home and what they are going through, and to join us to extend unemployment insurance, to address what are outrageous gas prices, and also make sure we are being serious and responsible about important issues such as airline safety.

I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Illinois is recognized.

Mr. DURBIN. My thanks to my colleagues from Massachusetts and Michigan for bringing to our attention the struggle this economy presents to many families across the United States.

You would almost find it hard to imagine that this Senate could meet with such regularity and not address these issues directly. But this administration and its economic policies have not focused on working families. They have focused on tax breaks for those in the highest income categories in America. That is something they do without embarrassment. They suggest that if the wealthy people in America have extra money to spend, it will be good for everyone else. That is a hard message to deliver and even harder to believe.

Elizabeth Warren is a professor of law at Harvard Law School in Cambridge, MA, and has become a good friend and adviser to many of us. She recently made a presentation to a number of Senators and showed an analysis which she had done relating to the middle of the middle class. Professor Warren took a look at real middle-income families and basically asked the question: What has happened to them during the last 7 years?

Her findings are troubling. From 2000 to 2007, she writes, the American family lost ground. Measured in real dollars, incomes declined while basic expenses skyrocketed. By the time today's family makes a few basic purchases—housing, health insurance, food, gasoline, and phone—it has about $5,700 less than it had been in 2000.

Now, this is a family that is making in the range of $40,000 to $45,000. So a decline in buying power of $5,700 over the last 7 years causes real hardship. By every measure, incomes are down for the same hypothetical family for this same period of time; down for fully employed males, fully employed females, down for households.

Adjusted for inflation, median household income has declined across America by $1,175. Prosperity has not arrived to the working class, the working families of America. In fact, the opposite has been true.

Of course, the biggest thing we face going home is the increasing cost of gasoline. The increase in the cost of gasoline has more than doubled since President Bush became President. In that same period, the profits of the oil companies have more than quadrupled. It is no coincidence. They are making more money as families, rich and especially poor, reach deeper into their pockets to pay for gasoline. Families have reduced driving. They have to spend an average of $2,000 more a year for gasoline than they did back in the year 2000, when President Bush was elected. Our friends on the Republican side of the aisle like to talk about cutting people's taxes, sending out rebate checks. Of course, those are all well and good. But it turns out the expense which has been passed along to working families for the cost of gasoline

since President Bush became President is more than $2,000 a year. There is a tax. It is a tax families have to pay if they have to drive to work or if they want to take their family on vacation.

Increases in mortgage costs took another big bite out of middle-income families, almost $1,700 each year. Health insurance, food, telephone, appliances, another $750 a year knocked out of the family budget. The increases mean the average family is spending $4,564 more for basic expenses now than they did in 2000. How about families with kids? Childcare costs under this President have gone up by $1,321 a year, more than $100 a month; afterschool care, $511 a year. All parents, regardless of the age of children, see the rising cost of college. Under this Presidency, the net cost of college, including scholarships and grants, has increased by more than $1,000. Is it any surprise, when Members of the Senate and the House go home over the weekends and run into these families, they want to talk about the latest outrage, which happens to be the price of gasoline?

My understanding is ExxonMobil made its report of quarterly earnings public today. It was a little bit off for them. Their earnings only increased 17 percent, hardly keeping pace with the recordbreaking percentage increases of the past. But trust me, there will be no tag days for those CEOs and members of the executive board and management of the biggest oil companies in America. They are doing quite well. The question is whether this Congress can do well by American families who pay the price for those profits. That is a challenge we will face.

President Bush is going to send us a supplemental appropriations bill. It is because of the emergency in Iraq. He is going to ask for $108 billion for Iraq and Afghanistan. He is not going to ask for the emergency in America, and there is one. He will not be asking for increasing unemployment compensation for families out of work, watching unemployment rates rise by the day. He will not be asking for tax breaks for those struggling families I have described. He focuses on the Middle East.

I am from Illinois. I focus on the Middle West. I try to look at the whole Nation, but I start with my obligation at home. When I look out the window in the morning, I see America. When this administration looks out the window in the morning, it sees Iraq. So when it comes to emergency spending, drop everything, highest priorities, it is not about America. This administration focuses on the Middle East.

I think that is unfortunate. We need to understand a strong America begins at home. It begins with a strong economy, strong families, strong churches, strong temples, strong neighborhoods, strong cities, strong communities that build a great nation. They are suffering at this moment.

During the course of this week, there has been precious little done on the floor of the Senate. Senator after Senator has come to talk about their concerns about energy costs. That is good. We should raise awareness of this particular issue. But we need to do more than give a speech, come up with a quick gimmick or a quick idea. We have to focus on changing some fundamentals, and it ought to start with the Tax Code and programs that help working families.

Mr. President, I have a friend in Illinois whose name is Harold Ramis. Harold Ramis and I share a birth date and a lot of friends. Harold Ramis has done quite well for himself. He ia a writer, a producer of movies. Harold got started writing ''Animal House,'' went on to write ''Caddyshack'' and a few others. But one of his most famous movies, which he released over 15 years ago, was a movie called ''Groundhog Day.'' I bet every American has seen it. It is hard to believe it has been more than 15 years since it was released. In that movie another Chicagoan, Bill Murray, wakes up every morning in Punxsutawney, PA, and looks over at the clock radio as Sonny and Cher are singing ''I Got You, Babe,'' and relives the same day over and over again, until finally it stops at the end. A fascinating movie, it has been analyzed by so many people. What is the message of the movie? I am not sure. I sure enjoy it and continue to watch it. I drive my wife crazy when she says: How many times have you seen that movie? But I like it a lot.

I am reminded of that movie when I think about what is going on in the Senate. It is almost like ''Groundhog Day'' around here because every day that you get up in the Senate and every week, it is the same music playing. It is the same script playing. The script that is playing is the strategy on the other side of the aisle, on the Republican side of the aisle. Their strategy is very simple. It involves the use of a filibuster.

A filibuster is a uniquely Senatorial institution that says, historically, any Senator can stand up at any time and stop anything—a nomination, a bill, anything. It gives us a lot of power. But unfortunately, that power can be misused. ''Mr. Smith Goes to Washington,'' Jimmy Stewart on that famous set, the brandnew Senator who stood up and filibustered until he dropped right next to his desk, we all remember that image. It doesn't quite happen that way anymore. I have not seen anybody fall to the floor in the middle of a filibuster, but it does eat up a lot of time, and it slows things down.

In the history of the Senate, there is a record book. The record book says that in the history of this great body, in a 2-year period, the maximum number of filibusters is 57; 57 times in 2 years there was an effort to stop the debate, stop a nomination, and a filibuster was initiated.

For those who follow the history of the Senate, they are watching a historic session. Because in the last year and 4 months, the Republicans in the Senate have broken the record. They have gone beyond 57 filibusters. At this point, they are now up to 68 Republican filibusters and still counting. On 68 different occasions, they have initiated a filibuster to stop us from taking up legislation.

You say to yourself: Maybe that had to be done. Not until you look at the legislation involved. Two weeks ago, we had something called a technical corrections bill. This is a bill that notices there were spelling errors and grammar errors in a highway bill that passed several years ago. They change it with technical corrections. It usually is a bill which passes with no debate, no comment, and not even a record vote. It just goes through when we have to clean up some problems we had in previous legislation.

In this new era of Republican filibusters, they decided to filibuster the technical corrections bill. If there was ever an embarrassing moment in the history of the Senate, it is the notion that we would filibuster a bill that corrects grammatical and spelling errors, but they did it. They held the Senate in session for a full week while we waited to complete the technical corrections bill. Then came the veterans' health benefits bill. Veterans' health benefits? Is this an issue anyone contests, that we would not provide all the benefits promised and all we can afford to the men and women who have served our country so valiantly and continue to? We brought this bill to the floor figuring this was an easy one, a bipartisan bill. It would pass. It was the subject of a Republican filibuster that held that bill on the floor for a full week.

Time and again, we came to the floor and said to the Republicans: Let us call up this bill. If you have an amendment, if there is something you want to change, then let's do it. No. Day after weary day this ''Groundhog Day'' script played out. We got up every morning. We didn't hear Sonny and Cher. We heard the Republican minority leader singing the same song every morning: We are going to try to get around to looking at this bill. Days passed.

If the Senate was paid for piecework as opposed to a general annual salary, we would be hurting at this point. We don't do much around here, and that is unfortunate. By the end of the week, after they had burned another week off the calendar, a week where we didn't consider the problems with our Nation's energy policy, where we didn't do a thing about gasoline prices but were stuck in a Republican filibuster, we had one vote on one amendment and passed the bill virtually unanimously when it was all over.

There was no controversy.

The object from the Republican side: Slow everything down. Stop it if you can.

So this week comes another bill. This bill is 288 pages. This is the reauthorization of the Federal Aviation Administration. Unfortunately, it is now subject to a Republican filibuster. A motion for cloture is about to be filed. This week in the Senate, for those who want to keep up with the ongoing and developing saga of our ''Groundhog Day'' script, Republicans are blocking safer, more efficient air travel. We have spent the entire week here and had one vote. I know it is not a secret. It is in the CONGRESSIONAL RECORD. But it is embarrassing. We tried time and again to get Senate Republicans to give us an amendment, call it up for a vote. Let's get moving on this bill. No, let's wait until next week.

Is there anything else we could have been considering in the Senate this week? We should have passed this in a hurry. First, it is a bipartisan bill. Is it necessary or important? For those of us who live on airplanes, you bet it is. Twenty-five million more passengers flew on U.S. commercial air carriers last year than the previous year. Almost 800 million passengers flew on U.S. commercial carriers in 2007, double the number of 1985. The FAA predicts the aviation system will transport more than 1 billion airline passengers annually by 2020. There is a problem though. As modern as the airplanes may be, as new as some of the airports may be, we are running our air traffic system on radar that was established during World War II. This technology is not equipped to handle the volume increase in air travel we anticipate. We are already seeing it in airports across the country. Passengers are feeling it in my home State in the great airport at O'Hare, where I spend a large portion of my waking hours.

U.S. News and World Report placed O'Hare recently at the top of the airport misery index. In defense of that great airport, we are in the process of modernizing it and things will get better. But it is fat. The magazine cited that almost 30 percent of flights in and out of O'Hare are delayed. One of the main reasons is the incapacity of our air traffic control system to deal with this increase in volume. We need to move to a more modern, satellite-based air traffic control system. This technology, known as NextGen, will give pilots and air traffic controllers the ability to accurately pinpoint aircraft in the sky to avoid any problems, to monitor traffic, to move things more smoothly and efficiently.

The second reason for the increase in delays comes from the lack of capacity in our airports. O'Hare Airport was designed in the 1950s and built in that era. It doesn't handle, as it should most efficiently, the aircraft of today. We have a big expansion under way. But the bill that has been held up all week in the Senate, a bill that was brought to us on a bipartisan basis by Senator JAY ROCKEFELLER of West Virginia, who has worked his heart out to pass this bill, and Senator KAY BAILEY HUTCHISON of Texas, who helped in crafting this bill, will provide funding for programs to give airports the money they need to expand and handle the growth in air traffic.

Lastly, the FAA bill also provides important provisions giving passengers rights when they are stuck in airplanes on the tarmac. Has it ever happened to you—stuck out there for an hour, if you are lucky? It used to be a lot longer. There are some horror stories that have come out of this. I will not go into the details other than to tell you we try to provide in this bill basic protections for airline passengers. We never want an airline to hurry into a circumstance that might compromise safety, but we do believe they should inform their passengers about what is going on and be mindful of the need for basic human comforts that passengers need when they are stuck on the runway for hour after weary hour. That is in this bill. You will not get a chance, if you look at the CONGRESSIONAL RECORD of this week, to hear any debate about it. We did not get to it. We were stuck in a filibuster—stuck for I think it will be the 69th filibuster of this senatorial session.

I believed when I came here that this was the world's greatest deliberative body. Maybe it is self-promotion for us to continue to say that because we have precious few amendments, very little debate, and we really lack the kind of legislative activity that has, I guess, been the hallmark of the Senate for as long as it has existed. We have ground to a halt because we are facing the slowdown strategy from the other side of the aisle.

When you think about how many important issues we need to work on for this country, for the families of this country, important decisions we need to make, it is sad that the Senate rules allow this to continue.

Well, we will return next Tuesday, after a long weekend. After having one vote this week, we need a rest. I hope you understand. We will come back Tuesday in the hopes we can start up this bill again. Maybe in the second week this bipartisan bill just might draw an amendment from the other side of the aisle, just might draw some debate on the floor, and just might get passed, so we can move on to the next issue, which I believe will be energy policy. And I can just guarantee you, it is likely to face another filibuster from the Republican side of the aisle.

The GOP is the, I guess, nickname for the Republican Party. It stands for the ''Grand Old Party.'' When you watch the progress, or at least the strategy of the Republicans in the Senate, you come to believe that GOP stands for ''Graveyard Of Progress.'' That is what they see the Senate. That is unfortunate.

There is a lot of work we need to do. The American people sent us here to do it on a bipartisan basis. I hope we can get it done.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, the custom is to alternate to each side. Senator DEMINT is here. After he has concluded his remarks, I ask unanimous consent to be recognized.

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

Mr. DEMINT. Mr. President, I thank the Senator.

Mr. President, I need to start by expressing my disappointment at the misleading and distorted information that was just presented on the floor. Actually, I was amazed at what was just said.

The Commerce Committee had come up with an aviation modernization bill with strong bipartisan support. But, like many other bills we have faced with our Democratic colleagues in the majority, some of my Democratic colleagues chose to add special provisions for some interest groups and very wasteful and questionable earmarks, tax earmarks, using unprecedented methods to fund things through changing our Tax Code, things that there is a lot of consternation about: changing a pension plan.

The reason this bill has been held up is the majority decided to add things to it that had nothing to do with aviation. We want this bill to come through, and it has strong support.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. DEMINT. Mr. President, no, I will not. I have been down here several times today, and I will continue my remarks. But I will be glad to have the Senator say anything after I complete my remarks.

The Senator mentioned the technical corrections bill for transportation. He said this was just typos. This bill added hundreds of millions of dollars of new earmarks to our transportation budget. It was not a technical correction bill. It was an opportunity for the majority and some others to add things that did not need to be a part of this bill. The Senator even knows, on bills such as consumer product safety where special provisions were added for manufacturers in that bill, we had to slow the bill down in order to get those things taken out.

So there is a reason the majority has not been able to move any significant legislation. It is because they tend to clutter it up with wasteful special interest earmarks that need to be taken out. Hopefully, we can come to an agreement to take out these unnecessary and unprecedented tax provisions in our aviation modernization bill so we can get this thing done.

HEALTH CARE

Mr. President, I did not come down to talk about aviation modernization, as I hope the majority will clean this bill up so we can get it through. But I want to talk a little bit about health care.

Health care is a priority for the Nation. Americans deserve access to affordable health insurance. Yet we are wasting time here and not doing anything to help with the health care crisis in this country today.

Fortunately, one of our colleagues, JOHN MCCAIN, has come out this week strongly for a health care plan that would help every American to be insured. He talks about guaranteed access to health insurance—plans people can own and can afford and keep, plans they choose for themselves and that are not chosen by the Government. This is the direction we need to move.

Unfortunately, my Democratic colleagues—at least many of them—do not want everyone to be insured with personal health insurance policies. They would much rather the Government take over the whole health insurance industry and decide for us what type of health plans we are going to have. The evidence of this is abundant.

There are a number of efforts Republicans have made to try to improve access to private health insurance. One is to allow people in this country to buy health insurance from anywhere in the country. Right now, they are restricted to buying it in the State where they live. So a few insurance companies have a monopoly on the business. We have had a Health Care Choice Act that would give Americans a chance to shop anywhere in the country. Yet the Democrats have blocked this bill.

Only a couple weeks ago, we had an amendment to the budget bill that would allow individuals to deduct the cost of health insurance, just as businesses do. But I believe every Democrat in the Senate voted against that, to give some kind of fair tax treatment to individuals who are buying health care. They blocked it. Yet they complain about individuals being uninsured. They do everything they can to keep individuals from owning health insurance.

Now the Democrats are trying to destroy health savings accounts. It started in the House with a bill that will change the way health savings accounts are set up. The fastest growing way for the uninsured to get insurance is new types of health plans that have health savings accounts and insurance, where people can buy most of their health care with their own dollars or in dollars their employers put in this health savings account that is tax free. It gives them a lot more choices and flexibility, and it takes out, importantly, the cost of third-party administration.

Health savings accounts are a way to restructure health insurance plans so that every time you go to the doctor or the hospital, there is not a third-party insurance company filing claims or dealing with billing and running up the cost of administration. We know today there are more administrative people in a doctor's office or a hospital than there are health care providers. The reason for that is, every time we use the health care system, there is a third party involved, whether it is private health insurance or Medicaid or Medicare, and there are a lot of administrative costs.

Health savings accounts not only give people more flexibility, but they begin to take the cost of administration out of health care. It allows an individual to make their own decisions with their doctors or with their pharmacists as to their health care, and they do not need approval from some health insurance company or from some Government bureaucrat whether they are going to spend this money. Certainly, the way health savings account dollars are spent is restricted to real health care, and that is the way it is working.

But, unfortunately, a company that provides this service of substantiating the way health care dollars are spent has come to Washington and convinced Democrats that we need a third party to determine whether a health savings account spending event can be substantiated. This is definitely a special interest provision that the Democrats have bought into. But what it does is it adds the administrative costs back to health savings accounts and takes away the flexibility we are giving to individuals.

Keep in mind, people who are uninsured and people who did not have insurance before and a number of people who are switching from traditional plans—and we have gone from 1 million people covered by health savings account-type plans to over 6 million in the last few years. It is the fastest growing type of health care plan because that is the kind of plan people want.

Let me just read some statistics. The reason for all this is the Democrats have inserted, on the House side, in the bill they call the Taxpayer Assistance and Simplification Act, provisions that would put an administrative burden on health savings accounts. They are trying to kill health savings accounts so we will all end up with Government health care.

I already mentioned that we have gone from 1 million people covered by health savings account plans in 2005 to over 6 million today. Thirty-one percent of the people who have these health savings account plans plus insurance were previously uninsured. Eighty-four percent of health savings account policies in the group and individual market provide first-dollar coverage for preventative care. So this claim that health savings accounts keep people from seeking preventative care is totally bogus because the plans are designed that when someone seeks preventative care, diagnostic care, the insurance pays for it and it does not come out of the health savings account.

Health savings accounts give people better access to the type of health care they want. We found that it even helps with chronic-disease management. If people have access to $1,000 or $2,000 more per year to use the way they need to for their own health, then they can manage their diabetes or congestive heart failure or other types of illnesses that are often restricted by traditional health insurance.

I want to encourage my colleagues—my colleagues who really believe Americans should have the freedom to own their own health insurance and not have to go to the Government for their health care—to help us preserve and promote and expand health savings accounts for those who want them.

I want to make it clear, health savings accounts are health insurance. They are just health insurance plans that have savings and insurance with them, so that most of health care can be accessed with dollars of patients doing direct business with their physician, with their pharmacist, with the hospital. It will save millions—even billions—as a nation in administrative costs. Already, Americans have well over $3 billion saved in health savings accounts for future health care needs.

This is an idea we need to expand across the country, not to destroy. I would ask particularly my Democratic colleagues on the Senate side not to take up this provision that the House included that will hurt and probably destroy the whole idea of health savings accounts.

Mr. President, I thank the Senator for allowing me to speak, and I yield back the time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, we are here today in the midst of another filibuster in which the FAA reauthorization bill is before us, but we have to wait for a cloture vote and we have to wait many, many days past, I think, what was appropriate. But it does give us an opportunity to talk about the issue that is of most concern to Americans at this moment; that is, the economy.

We have an economy that is heading, unfortunately, toward recession. Some economists have already declared it here. Over the last few months, I have spoken about the situation and particularly, I say to the Presiding Officer, in our home State of Rhode Island where, as we go about, we are stopped constantly by our constituents, our neighbors, our friends who, quite rightly, complain about the current economic situation.

The Senator from Illinois was very accurate and very insightful when he noted that the incomes of most Americans have not risen over the last decade or more and that these individuals—and we are not talking about low-income Americans, entry-level workers; we are talking about going way up close to $100,000 or more—they have seen no real income growth. But what they have seen is accelerating prices.

Now, for several years, they thought they would be buttressed against these

accelerating prices and slow income growth by the value of their homes. But, as we know now, we are seeing a huge recession in the real estate market. The values of homes are beginning to fall. They certainly are not rising as they were. The foreclosure situation is deepening everywhere. Again, in Rhode Island, there were traditionally a few notices each week in the paper. Now it seems there is a whole section devoted to foreclosures in the Providence Journal. It is evidence of the worsening of the economic situation.

Now, the pressure of flat wages, flat incomes, housing values falling—these accelerating prices are becoming very difficult to endure by Americans everywhere.

According to a review, a recent survey by the Pew Research Center, fewer Americans now than at any time in the past half century believe they are moving forward in life.

One of the great aspects of my youth in the 1950s, 1960s, and 1970s is not only did families deal with moving forward, they also were of an unshakeable belief that their children would have a much better life than they enjoyed. That belief is being shaken today, seriously. Many parents—again, we are not talking about low-income workers; we are talking about a range of Americans—believe that unless we take positive and effective action, we are going to be in a situation where the next generation of Americans will have it even more difficult than we do today. That is why it is very difficult to bear these filibusters because ultimately, this is not about parliamentary maneuvering. It is about whether we can provide the leadership and the policies to reverse course in America today and provide for that better future for our sons and daughters tomorrow.

Seventy-nine percent of Americans today believe it is more difficult to maintain their middle-class standard of living. In fact, one of the great hallmarks of this country in the last century was the creation and the expansion of the middle class. Again, there are many people who are sensing that the middle class is not expanding any longer, but that it is shrinking. It is shrinking on the load of increasing prices, flat incomes, and decelerating housing values. That is not just the sum of statistics and analysis and reports; that is what people are talking about everywhere in this country.

In Rhode Island, for example, with respect to prices, the average price of gasoline is soaring to record levels. Regular unleaded is currently at more than $3.60 per gallon. Diesel is getting close to $4.50 per gallon. For our trucking industry, for all of the businesses that depend on moving their goods around, for the service people who have to get to their service calls, when prices go up—gasoline and diesel—that is an additional business cost. It is an additional tax on them because of, I think, the failed policies of this administration, and it is a tax that is taking a big bite out of their well-being and the welfare of their families.

One thing we can do, and I think we should do—we could do it immediately—is we can refrain, at least temporarily, from filling the Strategic Petroleum Reserve. That seems to be a very simpleminded approach to lessening, at least in a small way, demand for oil at a time that oil is surging to around $119 per barrel. I think it also will send a signal that we are at least doing something to relieve the pressure on working families, and that can be done with the signature by the President and ordered by the President, and it should be.

At the same time families across this country and businesses across this country are seeing extraordinary price increases, oil companies are seeing extraordinary profits. I think we have to take action, and that action, once again, stalled on the Senate floor several months ago to eliminate some of the tax breaks that oil companies are receiving. I thought that at $119 a barrel, there would be sufficient incentives to go drill, but apparently the oil companies need tax incentives as well. I thought the market would be working in this case, but apparently it works in strange ways for these oil companies.

I think we also have to think about a windfall profits tax. We have huge expenditures. The President, as the Senator from Illinois pointed out, is sending up a supplemental appropriations bill for Iraq for billions of dollars. All of that is expended, and yet we can't tax some of the extraordinary profits of companies that are doing very well and don't seem to be reinvesting it robustly in drilling or searching for alternative sources.

I think we also have to protect consumers from price gouging at the pump, and something else—and that is speculation in the world oil markets. There are experts who suggest that more than 25 percent of the cost of crude oil may be the result not of supply and demand but of market speculation. We need to give the principal regulator for the energy-commodities markets, the Commodities Futures Trading Commission, the tools they need to review these transactions and to ferret out unscrupulous conduct in speculation.

That is why I support the Close the Enron Loophole Act that has been introduced by Senator LEVIN. It has been included in the Senate-passed farm bill, and I continue to advocate that provision should be adopted very quickly because without it, I don't think we can effectively provide regulation to a market that is exacting, in some estimates, a 25-percent premium, not because of supply and demand but because there are financial forces at work speculating in these commodities, and that speculation will go on until we authorize the appropriate regulatory authority to begin to supervise, regulate, and review those transactions.

The price of food is also, in many cases, spinning out of control for so many working Americans. Since March 2007, the price of eggs has jumped 35 percent, a gallon of milk is up 23 percent, a loaf of white bread has gone up 16 percent, and a pound of ground chuck is up 8 percent. Overall, food prices in 2008 are expected to rise 4 to 5 percent, about double the increase of recent years.

Again, this is not just an economic statistic. Talk to the bakers—and the Presiding Officer knows these families, such as the Calise family and other families in Rhode Island who have been baking Italian bread for 70 or 100 years—they have never seen the increase in wheat prices they have seen over the last several months. It is affecting their ability to make ends meet for their businesses. When you have accelerating energy prices, oil prices, gasoline prices, accelerating commodity prices such as wheat, a business such as that, a family-owned bakery, it is very difficult. It is extremely difficult for those families who are struggling to get by to get, frankly, to the supermarket, fill up their basket, and not walk out very much impoverished by the experience.

That is why I have requested the Senate Agriculture Committee to hold a hearing on the food versus fuel balance in U.S. agriculture policy. We have been encouraging ethanol production. That would bar us using some of our commodities, our agricultural commodities, but I believe we have to begin to focus on the tradeoff between energy production and food production.

I have also sent a letter to the Agriculture Secretary expressing concern with the cost of wheat, as I indicated, based upon comments I received from our bakers in Rhode Island, and requested that the Secretary work with the Environmental Protection Agency and the Department of Energy to look at the need to develop a mechanism to balance this tradeoff between food production and fuel production, and requesting information about how the Department of Agriculture is managing the wheat stockpile—which is something that will influence the price of wheat—as well as requesting information on how it is monitoring new speculative investment in commodities and its impact on prices. All of this has to be done.

What is becoming also more difficult to bear on top of everything we have talked about—flat income, rising prices, declining home values—is the fact that now we are seeing unemployment begin to accelerate. In Rhode Island, we are unfortunately experiencing a 6.1-percent unemployment rate—higher than the rest of New England. It is causing real problems, and it is something we have to address. I think we have to begin to recognize that as we lose jobs, we have to think seriously about employing people again.

As I mentioned, Rhode Island has a 6.1 percent unemployment rate right

now. It is close to the highest unemployment rate in the United States, only behind Michigan, Alaska, and California. It is the highest unemployment rate in Rhode Island since August of 1995, more than 12 years ago. There are 35,100 people in Rhode Island who are unemployed, and this is a trend that has been going up, unfortunately, not down.

We have also seen a shift in employment recently from February to March of 2008. In just a single month, 3,100 less people were without jobs in Rhode Island, a decrease in 3,100 jobs. For a State with a population of just 1 million, that is a significant factor. It adds not only to the decline in the unemployment, but the velocity of that decline. Things seem to be trending much quicker downward than rebounding.

Now, it is no wonder that the Labor Department announced today that the number of first-time claims for unemployment benefits rose to 380,000 nationwide. That is the highest level in 4 years. Today's announcement concluded that Rhode Island had one of the largest increases in initial claims numbering 1,779. The direction is unfortunate, and it is the wrong direction. Approximately half of those unemployed workers were eligible to collect unemployment insurance benefits, and of this number, nearly 19 percent face long-term unemployment.

The number of Rhode Islanders in 2008 who continue to collect unemployment benefits has also increased—14.1 percent above the number of the same period last year. As a result of this situation of deteriorating employment and longer term unemployment, a significant number of Rhode Islanders are exhausting their benefits. They are receiving their final payment. That has occurred for more than 1,900 people, and that percentage is increasing also.

All of these numbers suggest something very obvious: more and more people need unemployment insurance. More and more people are on unemployment longer. The economy is not responding to their needs. This economy is not generating jobs, it is shredding jobs. That ultimately leads to the fact that the benefits run out if we do not extend unemployment insurance benefits.

Now, I think that is something we have to do. I think we have an obligation in this economy—which is getting worse, not better—to go ahead and provide extended unemployment benefits. By the way, these benefits are one of the best stimulus programs we have because the proportion of the money that is expended that gets reinvested quickly—respent in the economy—is significantly higher than other programs.

I was pleased the Senate passed and the President signed into law the Economic Stimulus Act in February. I voted for this package. It will provide tax rebate checks. They are on their way out to many families across the country. But given the historically high unemployment in Rhode Island and in other parts of the country, I believe we need to do much more. This is a national problem. It needs attention. That is why I believe we have to extend unemployment benefits. In those States that are hit hard by this economic crisis, individuals should be eligible for benefits for an additional 13 weeks and another 13 weeks of emergency benefits in States where the unemployment rate is exceptionally high.

I pressed, as so many did, for inclusion of these extended unemployment insurance benefits last February, and I commend my colleagues who have fought also for this benefit, including Senators KENNEDY and DURBIN and STABENOW.

As I indicated, many economists have also pointed to the extent of unemployment benefits as not only something that helps the individual, but it provides further stimulus for our economy. An extension of these benefits provides a very high rate of return on the money expended, generating approximately $1.64 in gross domestic product per dollar invested in this program. This is especially helpful when we are looking for ways to get the economy moving again.

We get news each day of declining economic statistics. The last notice of our gross domestic product for the last quarter was a very unimpressive .6 percent. We need urgent action to move the economy. We need urgent action to help families who are struggling. They have worked. They have worked hard, and they are running out of their benefits. We can't run out on them.

That is why we need an economic stimulus package that will not only recognize obligations overseas, but we will recognize obligations at home. I hope we will enact a very robust extension of unemployment benefits for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

ETHANOL

Mr. BROWNBACK. Mr. President, I appreciate hearing my colleague from Rhode Island. I am standing here thinking: Thank goodness we have ethanol. Without ethanol—we are supplying 8 percent of our fuel needs—it would drive up gasoline prices another 15 percent. I am certainly pleased we have that.

We had a hearing in the Joint Economic Committee today on the price of corn and its impact on food prices. It is interesting from the standpoint that economists are putting it in front of us that a 40-percent increase in corn prices would only lead to a 1.3-percent increase in the price of food, and that is because corn goes into a whole bunch of different substances. Thankfully, with the corn-based ethanol we have, we are holding gasoline prices down approximately 15 percent.

A Merrill Lynch analyst estimated oil and gasoline prices would be 15 percent higher, or $4.14 a gallon at today's prices, if biofuel producers weren't increasing their output. That is significant in this marketplace. Thankfully, we have that.

I also note that on wheat prices something is significant in Kansas. We have had a fall of $4 a bushel in the price of wheat since January, from $12 a bushel to $8 a bushel. Plus, in a loaf of bread, you probably have 10 cents' worth of wheat. I hope they would say the farm is not the problem in the system.

Our oil prices are high and we need to hold them down. Part of the answer to that is domestic production—more oil and gas production in the United States but also biofuels. That is not the reason I came to the floor to speak. It was a good use of time to be able to put that in the RECORD, though, because we are going to debate, apparently, the role of biofuels in the economy and around the world. I wanted to note it has a positive impact.

Mr. President, I will speak on the FAA reauthorization bill. I thank the chairman and ranking member of the relevant committees for bringing to the floor a balanced FAA reauthorization bill. It takes into account the needs of the air traffic control system and pays for them and distributes that in a fair manner.

I am not pleased we are not able to move the bill forward. I wish it wasn't loaded up with extraneous provisions but, rather, that it would stay with the FAA.

I am particularly happy to see the bill contains no user fees for the general aviation industry. It would have placed an inordinate burden on what has been and continues to be a thriving American industry, a true domestic manufacturing success story. I might note to people here and those watching, we are recruiting for jobs. We need people in this industry. We have a number of manufacturing jobs in my State. I have traveled around and they are saying we need more people coming in to work. Some in Hays, KS, were telling me they need a thousand people for jobs they have.

The aircraft industry is recruiting individuals and, hopefully, we can keep that moving forward with a good FAA reauthorization bill. I think it helps the industry further if you don't put a tax on the industry; it will hurt it. This is a domestic industry, and we need to take care of it.

Importantly, however, this bill provides for the needed upgrade of our Nation's air traffic control system, which has been outdated for many years and the technology is outpaced by many countries around the world. That should not be the case.

Aviation and manufacturing are very important to my State. We have five major aviation companies located there, including Cessna, Hawker Beechcraft, Bombardier Learjet, Spirit AeroSystems, and Boeing Integrated Defense Systems.

The aviation industry has a huge ripple effect. Every manufacturing job

created adds 2.9 other jobs. It is a vibrant industry that, for the first time this past year, exported more of its product than it sold domestically. This is the first time we have been able to do that.

However, I wish to note some disturbing trends on things I think we need to attack so we don't lose this domestic industry. This is one that a lot of people in the world are trying to get a big piece of. Honda is coming into the aviation manufacturing sector, and others are coming into it. It has high-paying manufacturing jobs of a key product used around the world.

In 1985, the United States produced 80 percent of the world's new aircraft. This past year, that number was down to 60 percent—from 80 to 60 percent. There is increasing competition, and I hope we can address this trend as we move forward. To that end, I intend to offer an amendment to the bill that would create a blue-ribbon commission of experts in aviation manufacturing to study the current trends in the industry and recommend ways in which we, as a Government, can respond to those trends and ensure the vibrancy of this important commercial sector.

Parenthetically, one of the things we should not be doing is exporting our aviation defense jobs—such as sending the major tanker contract to Europe and to Airbus, rather than having it done in the United States. This is a major battle that will engulf this Congress—whether that $40 billion contract, that the base plane should be an Airbus plane, made primarily in Europe, or if the base plane should be a plane primarily made in the United States. It is a key part of the long-term trends of this industry, and we are already losing a lot of that, even as the industry continues to do well and is exporting well. We are not maintaining the market share we have had internationally because the Europeans, through government subsidies, are buying into this, and other countries are following as well.

I think as we look for what can help support our overall exports in our economy, aircraft sales can continue to be that. Presently, they provide a $56 billion trade surplus for our country. We sold $76 billion in airplanes and parts to foreign buyers. I think we need to watch and I think we need to be very aggressive to protect and see that this industry grows. One of the needed things is the FAA reauthorization program. We need a modern air traffic control system, and we need to have a fee structure that doesn't penalize general aviation.

There is one final note. One of my colleagues from Missouri is talking about bringing up an amendment that I think would have some positive impact on a repair and maintenance program but would have in it some features—if it continues in the way I have seen it—that could harm our aviation industry domestically. If that amendment comes up, we are going to look very critically at it, with the possibility of putting forward second-degree amendments to make sure we don't unintentionally harm the domestic U.S. aviation industry.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MILITARY HOUSING

Mr. NELSON of Florida. Mr. President, there is a colossal waste of taxpayers' money that is occurring at Patrick Air Force Base in the State of Florida near my home of Melbourne, FL. Happily, the Senate Armed Services Committee has addressed the issue to try to expose the spotlight on the problem to get the U.S. Air Force to come clean as to what has happened in this huge fiasco of waste of taxpayers' money.

It is born out of the privatization of housing for military families. Throughout the country, there has been some success at other military bases, but on a particular contractor, a contractor who got the contract to build housing for the Air Force on four Air Force bases, including Patrick Air Force Base and three others in other places such as Georgia and Arkansas, the contractor went belly up and now, in order to try to keep some semblance of housing being built, what is happening is the Air Force now wants to use all of the land that is supposed to be for housing at Patrick Air Force Base as the equity to build the houses on the other bases in three other States.

You will be surprised when I tell you how bad this is. There were 300 acres on the barrier island south of Patrick Air Force Base. This is in the town of Satellite Beach in Florida. It is near Cape Canaveral and the Cape Canaveral Air Force station. The 300 acres were basically given by the Air Force to a joint venture, a corporation, that included this developer that ultimately went bust. The deal was so bad that the Air Force agrees, of the 300 acres, they are going to outright give 100 acres to the developer. The developer goes off and sells it for something like $13 million or $15 million and pockets the cash. On the remaining 200 acres the developer is supposed to build 550 new homes for airmen and their families and commensurately tear down the old dilapidated housing that had been there for several decades.

The developer only builds 163 houses and then stops, and all these other old dwellings are there, of which the developer has the authority to rent on the market, and since they are run down, almost slum-like conditions, you can imagine the kind of tenants you are now getting living next to Air Force families.

The Air Force's idea of rescuing this is to say we are going to take that remaining 200 acres, we are going to give it to a new developer, and that equity is going to help that developer build additional houses, but not at Patrick, no, in these three other States.

So Patrick Air Force Base and our Air Force families who thought they were going to get 550 new homes now only have 163 homes sitting next to slum dwellings, and the Air Force is going to give away the rest of this 200 acres?

Well, something smells awfully fishy. Fortunately, this has come to this Senator's attention. I am happy to say I had to strain and grunt a little bit to get my point of view across to the Senate Armed Services Committee yesterday in a markup, but when the test came on a recorded vote, it was 22 to 0 in favor of the amendment that would require the Air Force to do a cost-benefit study before they can transfer the property. That is the policy set forth in the Defense authorization bill.

I want to say a word to the U.S. Air Force: No, technically, you don't have to pay attention because legally you can go on and transfer that property now because our Defense authorization bill is not law. It has only been passed out of the Senate Armed Services Committee. But it is going to be law once it gets through the House and the Senate and goes to the President for signature.

I strongly suggest to the U.S. Air Force, and I am memorializing these comments in a letter to the Secretary of the Air Force, Secretary Wynne: Withhold, forbear on any transfer of the title to a new developer utilizing that very valuable asset of barrier island, oceanfront land until you do the cost-benefit analysis so we can bring this out into the full light of day and we will know how we can best protect the taxpayers' investment.

We want to serve the U.S. airmen and their families, we want to serve the U.S. taxpayers and their families, and the best way to do that is get this story out in the open with this cost-benefit analysis.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The distinguished Senator from Vermont is recognized.

ENERGY

Mr. SANDERS. Mr. President, in the last several weeks in a number of venues, I have met with hundreds, in fact thousands, of Vermonters, and to nobody's great surprise, the issue that is uppermost on their minds is the very high price of gas and the price of oil. I know that is true in all 50 States in this country and in thousands of communities. It is especially true in rural States because in rural States, especially cold-weather States, it is not uncommon for people to travel 50 miles to their jobs and then 50 miles back. If you drive 100 miles to work, the mileage runs up.

I should mention, I know it probably didn't snow in Florida, but it did snow

in Vermont. We had a small amount of snow. That simply indicates that people know when it gets cold in Vermont it gets very cold. We have a lot of elderly people right now wondering how they are going to heat their homes next winter. We have a combination of working people in a rural State—this is true all over rural America—paying outrageously high prices in order to get to work and, in colder weather States, people very worried about whether they can stay warm next winter.

The arithmetic is not really hard to figure out. If you put 25,000 miles on your car going to work every year and you are paying a buck more than you used to and you get 25 miles per gallon on your car, that is a thousand dollars. If you make $30,000 a year and you get a 3-percent raise, that is 900 bucks. So all of your raise, all of your cost-of-living increase on your job is now in your gas tank. That is happening to millions of American workers. Then these same workers are paying more for health care, are paying more for food, more for education, which, added together, is why the middle class in America is collapsing.

For many years, as good-paying jobs have gone to China, as our people are struggling to make ends meet, people have been worried about how they are going to survive economically. On top of that, we now have the foreclosure crisis and we have the escalating cost of gas and oil in this country, which then leads some 80 percent of the people in this country to believe this country is going in the wrong direction, and one wonders, really, what the other 20 percent are thinking. Clearly, for the middle class in this country, we are facing a very serious problem.

I did an interesting thing a few weeks ago in Vermont. We were having some town meetings on the economy. We brought a professor from Harvard Law School, one of the best writers in America on the economy. Her name is Elizabeth Warren.

In preparation for that meeting, we sent out an e-mail to people in my State and said: Tell me what is going on in terms of the collapse of the middle class and how that impacts your life. Frankly, we expected a few dozen people to reply. As of today, we have received over 700 responses. This is doubly surprising because in Vermont people are quite reticent, not wanting to talk about personal aspects of their lives—700 people. I recommend you and Members of the Senate read some of these responses. They are up on our Web site. The tales people are telling are heartbreaking, they are poignant, they come from the heart, and there are hundreds of them.

Let me just read a few segments of some of the letters we have received and how they touch on gas prices and the general collapse of the middle class in our country.

> We are hard-working people. We want to pay our bills. We want to keep what we worked so hard for. The constantly increasing cost of gas, oil, groceries are drowning us. I hear the same thing from most of our friends on a daily basis—hanging on by a thread, robbing Peter to pay Paul. It is such a stressful way to live. There are days when I get so discouraged I just want to call the banks and say just take it all. I don't have it in me to fight for it anymore.

This is a family in the State of Vermont.

Here is another one. This comes from an elderly couple in Vermont:

> My wife and I are both 77, retired and living on a very limited income. We live in the country, and driving the 60-plus miles round trip for shopping and health care has become a financial hardship.

Traveling 60 miles for shopping and health care has become a financial hardship.

> Even though we drive a car that gets 35 miles to the gallon, a tankful of gas eats up an awfully large amount of our disposable income.
>
> That is true all over America. You have older people who get in their car, they go out to buy groceries, they go to the doctor, and suddenly they are finding that just getting into their car and going where they have gone their whole lives is now a very expensive proposition, in this case eating up a large part of their disposable income.

Another family writes:

> I live in the Northeast Kingdom, which is a very rural area in the northern part of Vermont near the Canadian border, and I have to drive a 30-mile round trip to work in Morrisville and even farther to Stowe, where most of the jobs are now. With the gas prices high and most employers paying $8.50 to maybe $10 per hour, you spend much of your paycheck traveling to and from work.

In other words, in the real world, there are millions of people in rural Vermont and all over this country and in Florida who are making $8.50, $9, $10 an hour, and if you are paying $3.50 a gallon to get to work and you have to travel any kind of distance, what do you have left? Not a lot.

The average price for a gallon of gas recently hit a recordbreaking $3.62 a gallon, which is more than double what it was when President Bush first took office. The price of diesel fuel is now averaging over $4.17 a gallon, which is more than $1.36 higher than it was just a year ago. The price of oil is now $110 a barrel. I think these prices say it all. They tell every Member or should tell every Member of Congress what the American people understand, which is that we have a national emergency on our hands. If we do not act boldly and rapidly to lower gas and oil prices, the economic situation for millions of working families will only deteriorate even further.

What we are talking about is not just the worker who can't afford to fill up his gas tank, it is the entire economy. It is small businesses, it is farmers, it is truckers. The trucking industry is convoluting right now with these high prices. It is the increased cost of groceries, it is tourism. People come to Vermont and people go to Florida to enjoy vacations. They are not going to be able to drive there with these prices. In fact, what we are looking at is a major economic crisis impacting every segment of our economy.

Sadly, as in so many other areas regarding the needs of ordinary Americans, when it comes to gas prices the Bush-Cheney administration is just not there. This is an administration where, in area after area, you can count on them to stand up with the large multinational corporations. You can count on them protecting the wealthiest people in the country. Now, when the middle class is in crisis, when people cannot afford the rapidly rising costs of gas and oil, they are nowhere to be found.

What is particularly interesting, of course, as most people know, is both President Bush and Vice President CHENEY have backgrounds in the oil industry. That is what they did before they assumed the Presidency and Vice Presidency.

Ironically—and this would really be almost funny if it weren't so sad—when President Bush ran for office in the year 2000, he touted his experience in oil as one of the reasons he should be elected President. He knew the oil industry. He would make the energy situation better based on his experience.

Here is a direct quote from what candidate Bush said in the year 2000, in his first campaign, regarding how he would improve our relations with some of the OPEC countries. This is what he said:

> I will use the capital that my administration will earn with the Kuwaitis or the Saudis and convince them to open the spigot.

That is what candidate George Bush said in the year 2000.

Then he said, also in that campaign:

> The President of the United States must jawbone OPEC Members to lower the price.

End of quote from candidate George Bush in the year 2000. That was 8 years ago. When then-candidate Bush made those comments, the price of oil was $30 a barrel. Today, after 7½ years of the Bush-Cheney administration, the price of oil is now $110 a barrel.

It seems to me that it is imperative that among many other things, many other actions Congress must take, one of them is to do what President Bush talked about in 2000 but never did, and that is we must demand that Saudi Arabia and Kuwait produce the kind of oil they can. We must also move forward as a Congress to address the reality that OPEC is a cartel. That is their reason for existence. A cartel is formed in collusion in order, in this case, to prevent production of oil, control the production of oil in order to artificially keep prices high.

This Congress must demand two things: that Saudi Arabia and Kuwait and other OPEC members increase their production so we can lower prices, and second, we must be aggressive in telling the World Trade Organization that OPEC is a cartel; it must be disbanded.

Back to President Bush.

In 2004, when Saudi Arabia led the fight within OPEC to cut production

and raise prices, the Miami Herald reported that President Bush ''refused to lean on the oil cartel'' and ''refused to even personally lobby OPEC leaders to change their minds.''

It is true that last January President Bush did visit Saudi Arabia to ask OPEC nations to increase production, but guess what. The Associated Press reported that President Bush's request was ''ignored.''

In 2000, as a candidate, he told us he was going to open the spigot, he was going to get them to produce more oil, but that, of course, has not happened.

Last March, after meeting with Saudi Arabia's oil minister, the Wall Street Journal reported that ''Vice President DICK CHENEY suggested there is little more Saudi Arabia can do to increase oil production and relieve price pressures in global markets.'' But Stephen Brown, the energy economist at the Federal Reserve, has disputed this. He has said that ''Saudi Arabia is restraining its production, probably by about 1.8 million barrels a day. And OPEC is probably holding back 2.3 million barrels a day altogether.'' In other words, despite all of the rhetoric from President Bush, all of his experience in the oil industry, the reality is that Saudi Arabia is not producing the kind of oil it should be producing and we are hurting as a result of that.

Many of us are tired of waiting for the Bush administration to act. Congress must act. There are a number of things we must do in order to lower the price of gas and oil in this country. One of them is to demand that Saudi Arabia, Kuwait, and the other OPEC countries start producing the quantity of oil we know they can produce.

That is one thing we can do, but it is certainly not enough. The national oil emergency we currently face in our country and in many other countries demands both short-term and long-term solutions.

Long term, I think many people in the Senate and the vast majority of the American people understand that we must break our dependency on fossil fuel. We must move to energy efficiency. We must move to such sustainable energies as wind, solar, geothermal, biomass, and others. In my view, the potential is absolutely staggering in terms of the amount of energy we can produce through sustainable energy and the amount of energy we can save through energy efficiency.

Not only that, obviously we need to significantly improve public transportation. Our railroads today lag far behind Europe and Japan. In doing that, building a broad mass-transportation system, we can break our dependency on the automobile.

In terms of automobiles, people are just now beginning—and we must help them—to move to electric cars, move to hybrid plug-in cars. There is just enormous potential out there. Clearly, that is the long-term solution of where we have to go.

But I sometimes hear my friends coming here and they talk about a long-term solution and yet they forget about what is going on in America today for a family making $30,000 or $40,000 a year, and maybe they have two cars because they have two workers, and those people are going broke today.

So I do not think it is an either/or. I think we have got to be aggressive right now in moving toward energy efficiency and sustainable energy, but we have also got to be aggressive today in lowering the price of gas and oil. It is not an either/or. We move forward in parallel tracks.

One of the steps we have to take is to put pressure on OPEC nations to increase the production of oil. I think also we have got to break up OPEC, and let the free market work in that area. But that is only one of the things we have got to do.

Second, I believe it is absolutely imperative that we impose a windfall profits tax on the oil and gas industry. The American people do not understand, nor do I understand, why they are paying record-breaking prices at the gas pump, while ExxonMobil has made more in profits than any corporation in the history of the world for the past 2 consecutive years.

I know ExxonMobil and their propaganda machine will no doubt explain it. But the average person does not believe it and the average person should not believe it. ExxonMobil and the other major oil companies are ripping off the American people. That is clear. We need a windfall profits tax to address that.

Last year alone, ExxonMobil made $40 billion in profits, and rewarded its CEO Rex Tillerson with a $21 million compensation package. That is nothing. He is getting shortchanged, because the guy who went before him, when he retired—his name was Lee Raymond—got a $400 million retirement package. So my suggestion to Mr. Tillerson is: Go back to your board. You are getting ripped off 21 million bucks. How are you going to make it on that?

Here you have a company charging record-breaking prices, having given its former CEO a few years ago $400 million in a retirement package. But ExxonMobil is not alone. Chevron, ConocoPhillips, Shell, and BP have also been making out like bandits. In fact, the five largest oil companies in this country have made over $600 billion in profits since George W. Bush has been President. Not bad, $600 billion in profits in 7.5 years. And people in Vermont and Florida cannot afford to fill their gas tanks.

Last year alone, the major oil companies in the United States made over $155 billion in profits and, not surprisingly, those profits continue to soar. Today, ExxonMobil reported a 17-percent increase in profits, totaling $10.9 billion, $10.9 billion for one quarter.

Earlier this week, however, BP, British Petroleum, announced a 63-percent increase in their profits. Shell's first quarter profits jumped by 25 percent to over $9 billion; one quarter, 3 months. ConocoPhillips' profits increased by over 16 percent in the first quarter to over $4 billion.

It is hard to come up with the words to describe it, because I know, and I am sure you know, Mr. President, the problems middle-class people are facing today and what these high oil and gas prices are meaning to families, and at the same time this is going on, these major oil companies are enjoying obscene levels of profit. With their profits, among many other things, they are very lavish in the kind of benefits and salaries they provide their CEOs. Last year, Occidental Petroleum, one of the ''smaller'' companies, gave its CEO $34.2 million in total compensation. The CEO of Anadarko Petroleum received $26 million. Chevron's CEO made $15 million, as did ConocoPhillips' CEO. He made $15.1 million in compensation.

Let me be clear. I believe oil companies should be allowed to make a reasonable profit and CEOs of big oil companies should enjoy decent compensation. That is a tough job and they should earn a good salary. But they should not be allowed to rip off the American people at the gas pump, especially at this moment in our history when the middle class is stressed out and in many ways collapsing.

The time has come to impose a windfall oil tax on those companies so they cannot continue to gouge the ordinary people of our country. Unfortunately, however, imposing a windfall profits tax on big oil will not be easy. I think we all know the reason, and that is, since 1998 the oil and gas industry has spent over $616 million on lobbyists.

And dare I say that right now on the floors of the Senate, and on the floors of the House, you have very well paid lobbyists, former congressional leaders, big-time law firms, floating all over this place right now trying to convince Members of the House and the Senate to leave big oil alone. Not only have they spent, since 1998, $616 million on lobbying; since 1990 they have spent over $213 million in campaign contributions. That is the way the world goes—lobby, campaign contributions from powerful multinational corporations.

What is the end result? Their profits are soaring and ordinary Americans are hurting. The time has come, it seems to me, for the Senate to stand with working families all over this country, to have the courage to stand up to this very powerful industry and say ''yes'' to a windfall profits tax and ''no'' to the continued urges of the oil and gas industry to pat them on the back and do nothing.

While it is true that oil companies and their executives are making money hand over fist, it is also true they are not the only culprits in this situation. We must begin focusing on the very powerful speculators and hedge fund managers who have also been making obscene sums of money by speculating

on futures and driving an unregulated market up and up and up.

There are some people who estimate, in fact, that half of the increase in oil costs is attributable to the cost of production but to the speculation that takes place.

In my view, Congress must act to rein in greedy speculators by closing what has been referred to as the Enron loophole and increasing oversight over the energy futures industry.

The Enron loophole was created in 2000 as part of the Commodity Futures Modernization Act. At the behest of Enron lobbyists, a provision in this bill was inserted in the dark of night and with no congressional hearings. Specifically, the Enron loophole exempts electronic energy trading from Federal commodities laws. Virtually overnight, the loophole freed over-the-counter energy trading from Federal oversight requirements, opening the door to excessive speculation and energy price manipulation. Since the Enron loophole has been in effect, crude oil prices jumped from $33 a barrel in 2000, after adjusting for inflation, to over $110 a barrel today.

Last January, a veteran oil analyst at Oppenheimer estimated there is as much as a $57 a barrel ''speculative premium'' on the price of oil. In other words, he estimates that about half of the price of a barrel of oil is due not to the production and distribution of that product but simply to speculation.

The CEO of Marathon Oil said late last year that $100 oil is not justified by the physical demand in the market. In other words, those guys see that the price of oil is being driven up by speculation.

Closing the Enron loophole would subject electronic energy markets to proper regulatory oversight by the Commodity Futures Trading Commission to prevent price manipulation and excessive speculation.

I thank Senators LEVIN and FEINSTEIN. I know Senator DORGAN and others have been involved in producing legislation and ideas to close this loophole. We must move forward and pass that type of legislation as soon as possible.

In addition—and this is an issue where there appears to be a degree of bipartisan support—some of our Republican friends also agree the Bush administration must stop the flow of oil into the Strategic Petroleum Reserve, and in my view, my view, immediately release oil from this Federal stockpile to reduce gas prices.

This action has been taken in the past. It is not a new idea. Goldman Sachs has estimated that continuing to fill the Strategic Petroleum Reserve has increased gas prices at the pump by as much as 25 cents a gallon, and that clearly is unacceptable.

Releasing oil from the Strategic Petroleum Reserve in the past, under both Democratic and Republican administrations has, in fact, lowered the price of gas and crude oil. For example, when President Clinton ordered the release of 30 million barrels from the SPR in 2000, the price of gas fell by 14 cents a gallon in 2 weeks.

When President George H.W. Bush, the first President Bush, released 13 million barrels of crude oil from the SPR in 1991, crude oil prices dropped by over $10 per barrel.

Let me conclude by saying that the issue we are dealing with today, in my view, is not only the high price of gas and oil. As serious as that is, and as much impact as that is having on our economy, the deeper issue here is the degree to which people in our country, the hard-working citizens of our country, will or will not continue to have faith that their Government represents them.

It is no secret that President Bush will likely go down in history as perhaps the least popular President and, in my view, one of the worst Presidents we have ever had. But it is also true that the ratings of this Congress are extraordinarily low; they are even lower than where President Bush is.

I think the reason for that is people are suffering terrible problems right now. In almost every area you can think of, this country is going in the wrong direction. The middle class is hurting. We talked about oil prices, food prices, the loss of good-paying jobs, the health care system, Social Security falling apart, people are paying 25, 30 percent interest rates on credit cards. People are in trouble. In a Democratic society, when people are in trouble, they look to the people whom they elected, to their Government, to protect their interests. They are looking to Washington right now. They are looking here. They are hurting, and they are asking whether the Congress of the United States has the courage to stand up to the very powerful financial interests which have so much influence over what goes on here.

So I hope very much we have the courage to once again earn the confidence of the American people, that we understand the pain they are feeling, and that we act properly, that we lower gas prices, that we lower oil prices.

We can do this with bold action, and we can move this country to a new energy policy dealing with energy efficiency and sustainable energy. I think the American people want us to do that. I think that is, in fact, what we should do.

I yield the floor, and 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. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, it is really difficult for me to comprehend the reasoning of my friends on the other side of the aisle. All week we have done nothing. One of the most important bills that has been brought before this body this year, the Federal Aviation Administration reauthorization, as we speak there are thousands of airplanes going all across the United States. The equipment that allows those airplanes to take off and land is antiquated and way out of line for making air travel in America as safe as it should be. This legislation is very important and would be good for America, good for passengers.

We have in this legislation the passengers bill of rights, money to replace antiquated equipment. But the Republicans have stopped us from legislating. We have tried virtually everything.

I wanted to have an orderly process, which I think is not unreasonable. So last night I said: We have filled the different trees to allow amendments, but if you want to offer one, come on. No.

I said: Well, give us a list of the amendments you want to offer. No. They said: Bunning has an amendment. Let us see it. That went on all day yesterday. Finally, they told us today the subject matter of that particular amendment. When I learned about the subject matter, I said fine. It is something about coal being changed so they can use the fuel for flying airplanes. No.

I said: I will tell you what we will do. We will take down the tree. You can offer anything you want. No.

We heard what they didn't like were provisions that would allow rail service in this country to be updated and modernized. They didn't want that. There was some language in the bill that would do something to help make highway safety paramount. Don't want that. Offer an amendment to take it out. No.

Finally, I came to the conclusion that their objection was to a provision contained in the President's budget. I couldn't make up a story that is more ridiculous than the one I am relating, which is the truth. There is a provision in this bill that gives the State of New York the final amount of $20 billion that was promised them after 9/11 by President Bush. That amount of money is in his budget for this year, which he gave us. I talked to the distinguished Republican leader and said: Offer an amendment to take it out. This is in the President's budget. We still oppose it, is what I was told.

So it is obvious. The Republicans don't want to do anything to improve, to modernize the Federal Aviation Administration. I hope people who are within the sound of my voice think about that when they are flying across the country.

We are not going to be able to do it this year, more than likely. There will be room made in the schedule by the Republicans to take up $170-odd billion for funding the war in Iraq from now until a year from this June. With glad hands, they will all come to the Senate floor and spend more money in Iraq. I

guess they don't want to pull the plug on spending $5,000 every second. Maybe they are trying to up the ante. I will have more to say about this tomorrow, but it is really a disappointment.

This is not a victory for the Republicans to maintain the status quo, is it? Of course not. Would it be a big victory for the Democrats to pass the Federal aviation reauthorization? No. It would be something good for the American people. I hope the American public sees this for what it is. We Democrats are in the majority. It is a slim majority. It is 51 to 49. The Republicans obviously are upset over the fact that we are in the majority. They want the record to show that this Congress accomplished nothing.

In spite of the obstacles and their obstruction, we have still accomplished quite a few things. We are proud of what we have accomplished, considering all the hoops we had to go through to get where we did.

I never give up hope. I hope there will be a new day in Washington starting next week. One way we can have a new day: We give all the blame to the Republicans in the Senate. They certainly are the ones who are on the firing lines. But do you know how much it would mean if the man down at 1600 Pennsylvania Avenue would call the Republican leader and say our country needs this FAA reauthorization? We need it. The President could call down here and break this logjam, as he could have done on all the other legislation they have stopped. How in the world do these people go to bed at night not worrying about the air traffic system falling apart, because it is going to. It is in desperate shape.

Out in this parking lot there are new automobiles that have GPS systems in them. That is better equipment than the FAA has moving all the airplanes around the country.

CLOTURE MOTIONS

I send a cloture motion to the desk to the substitute amendment No. 4627.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 4627 to H.R. 2881, the FAA reauthorization.

Harry Reid, John D. Rockefeller IV, Barbara Boxer, Kent Conrad, Patrick J. Leahy, Robert P. Casey, Jr., Mark L. Pryor, Sherrod Brown, Patty Murray, Ken Salazar, Max Baucus, Thomas R. Carper, Amy Klobuchar, Sheldon Whitehouse, E. Benjamin Nelson, Richard Durbin, Blanche L. Lincoln, Daniel K. Inouye.

Mr. REID. I now send to the desk a cloture motion on the bill.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 2881, the FAA reauthorization.

Harry Reid, John D. Rockefeller IV, Barbara Boxer, Kent Conrad, Patrick J. Leahy, Robert P. Casey, Jr., Mark L. Pryor, Sherrod Brown, Patty Murray, Ken Salazar, Max Baucus, Thomas R. Carper, Amy Klobuchar, Sheldon Whitehouse, Blanche L. Lincoln, E. Benjamin Nelson, Richard Durbin, Daniel K. Inouye.

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the substitute amendment No. 4627 occur at 2:30 p.m., Tuesday, May 6; further, that the mandatory quorums for both motions be waived.

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

Mr. REID. 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.

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

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are not.

MORNING BUSINESS

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

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

REMEMBERING JOHNNY H. KILLIAN

Mr. BYRD. Mr. President, I am saddened to learn that Mr. Johnny H. Killian has passed away. Mr. Killian was a highly regarded, highly admired, and highly utilized specialist in American public law at the Congressional Research Service. For more than four decades, he advised Members of Congress and our staffs on constitutional issues.

He had an encyclopedic knowledge of constitutional principles that was based on his astute mind, his many years of unbiased research, and his keen analytical skills. With his prodigious memory, he could provide guidance and cite, in detail, case law pertaining to nearly all of the key constitutional issues that came before the Senate. My staff and I depended on him for assistance and advice on a number of issues, including the line-item veto, the War Powers Act, eminent domain, prayer in schools, federal funding for education, and privacy protections under the fourth amendment.

I always appreciated the level of dedication and pride Mr. Killian took in his work. He was never too busy to answer the phone or return a call. He worked tirelessly to make certain that lawmakers and their staffs stayed always attuned to the original intent of the Framers. When presented with a question or a request, he responded quickly and with an amazing grasp of specifics, and with thorough information, even when presented with an unusual inquiry late in the evening, on a weekend, or even during a holiday or when he was ill at home.

All of this professionalism was enhanced by the fact that Mr. Killian was such a pleasant person with whom to work. He was soft-spoken, courteous, and a dedicated public servant. He was a man of incredible patience and kindness, with a warm sense of humor.

Mr. Killian will be truly missed by his Senate family, but his legacy as an academic, and a researcher, blessed with an extraordinary legal mind will be with us for a long time. Senators will remember him for a lifelong, commitment to the Constitution.

Mr. President, I extend my most heartfelt condolences to his family and many friends.

ROTUNDA COMMEMORATION

Mr. STEVENS. Mr. President, today as this Congress commemorated our National Commemoration of the Days of Remembrance for 2008 in the Rotunda of the Capitol of our Nation, Joshua B. Bolten, the Chief of Staff of President Bush, delivered the keynote address.

I note that Josh Bolten noted he will travel with President Bush later this month to Israel to commemorate the 60th anniversary of the founding of Israel, which he pointed out occurred just 3 years after the Holocaust.

I ask unanimous consent that Mr. Bolten's remarks be printed in the RECORD.

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

[Remarks by Joshua B. Bolten, May 1, 2008]

DAYS OF REMEMBRANCE

(United States Capitol Rotunda)

I am deeply honored to be at this podium today, to speak about anniversaries and the moral obligation of memory.

Many who have stood here before me have spoken from their own memory, telling their most personal of stories—the years of suffering, the loss of loved ones, survival and the anguish of haunting memories. I have no such stories to tell. My Jewish grandparents left Europe before the Holocaust, bestowing on my parents the gift of being born in this land of freedom.

But I do stand here as the proud son of a brave young American soldier, decorated for the valor that led to his capture by Nazi forces. Imprisoned in a German POW camp for two years, he refused to hide the dog tag that bore the letter H (for Hebrew). Twenty-five years later, working at the White House near the end of a distinguished career of national service, my father shepherded the work of the President's Commission on the Holocaust and helped bring to fruition the

first of these National Days of Remembrance ceremonies, and ultimately the U.S. Holocaust Memorial Museum itself.

We gather at this 29th Days of Remembrance ceremony in a year and season of grim anniversaries. It has been almost exactly 75 years since the Nazis organized a massive nationwide boycott of Jewish businesses that inflamed anti-Semitism throughout Germany. 70 years since Kristallnacht, the night of brutality that, as Fred Zeidman eloquently described, exposed to the world Nazi intentions toward the Jews. 65 years since the Warsaw uprising, as Joel Geiderman reminded us, the best known of many episodes of heroic resistance.

Passover, which ended just a few days ago, commemorates the liberation of Jews from slavery in Egypt thousands of years ago. So 65, 70, even 75 years in our history is not so long a time. But it is almost a lifetime. Had Mordecai Anielewicz, the young commander of the Warsaw uprising, survived, he would be almost 90 today.

With the passage of time, the Rescuers, the Liberators, and the Survivors—like those whom we're blessed to have with us today—are naturally dwindling in numbers. Earlier this year, we lost the beloved Congressman Tom Lantos (so well remembered just now by Ambassador Meridor), whose experiences as a Survivor gave extra gravity to his powerful calls to conscience.

We are transitioning from living memory to historical memory, and that places a great burden of responsibility on the rest of us. As the witnesses to the witnesses, we carry the moral obligation of memory.

And what is that obligation? Surely it is more than fixing blame—for just as the generation of Survivors, Rescuers and Liberators dwindles, so must the Perpetrators, Collaborators and Bystanders. But why must we remember in such painful detail?

In his introduction to the presidential commission report that my father helped shepherd, Elie Wiesel gave an eloquent answer: First, Wiesel wrote, ''we cannot grant the killers a posthumous victory. Not only did they humiliate and assassinate their victims, they wanted also to destroy their memory. They killed them twice, reducing them to ashes and then denying their deed.''

A Nazi guard once told Simon Wiesenthal that, in time, no one would believe his account of what he saw. Many in this room have devoted a lifetime to proving that prediction wrong. Yet there are still those who challenge the facts surrounding the Holocaust, or even brazenly deny its reality. Whatever form it takes—from cartoons in a newspaper owned by the Syrian government, to statements by leaders of Hamas, to an international conference hosted by the President of Iran—we must stand against every attempt at denial. We have an obligation to condemn these lies for what they are—and remind people of the truth.

Wiesel's second explanation for the moral obligation of memory is that ''we cannot deny the victims the fulfillment of their last wish . . . to bear witness.'' This wish is captured in Emanuel Ringelblum's ''Oneg Shabbat'' project, which Sara Bloomfield just described. When we read the victims' stories in those long-buried milk cans, we relive their suffering. We honor their defiance. And we fulfill their request never to be forgotten.

Third, and most important, Wiesel wrote, ''we must remember . . . for the sake of our own humanity,'' because ''indifference to the victims would result, inevitably, in indifference to ourselves.''

We saw this indifference on shameful display at the Evian Conference, which also marks its 70th anniversary this year. At that conference, powerful nations gathered in the heart of Europe to consider the plight of Jews in Nazi Germany. Yet they mustered only excuses for inaction, refusing to make the changes in refugee laws that could have rescued millions of Jews with a simple stamp on a paper. Five years later, with the full horror of the Holocaust primed to unfold, nations again gathered in Bermuda. This time, they produced a mere joint statement—along with a bureaucratic report that arrived long after the killing machines of Auschwitz and Treblinka were operating at full force.

Tragically, the international community has repeated this indifference in the decades since the Holocaust. In Rwanda and elsewhere, the innocent have paid the price.

Our generation has an opportunity—and a moral obligation—to be different. When we say, ''Never again,'' we must mean it. Not in our moment of history and responsibility. We must call evil by its name, and confront it with purpose and courage. We in government service especially must challenge those who have become enamored with process that substitutes for action and who shrink from the hard choices.

This commitment is being tested in Darfur. President Bush is the only world leader to call the killing there ''genocide.'' He has ordered sanctions on those responsible for violence. And he has pledged to provide training and equipment to help African troops deploy to Darfur. Yet America remains too lonely in this effort. In the past three years, the United Nations Human Rights Council has passed more than six times as many resolutions against Israel as it has against Sudan. And despite repeated urging, the UN peacekeeping force has yet to deploy. It is not too late to set this right.

In answering Wiesel's three calls—to deny the killers a posthumous victory . . . to fulfill the last wishes of the victims . . . and to affirm our own humanity—we uphold the moral obligation of memory. And in our responsibility as witnesses to the witnesses, we are blessed to have remarkable assets.

First, of course, are the Survivors themselves, who comprehend evil with a clarity that comes only from direct experience. As they share their stories, they do more than deepen our knowledge of history—they advance the cause of justice.

We are also blessed with the efforts of individuals like Father Patrick Debois. Going door to door, Father Debois has collected the testimony of more than 700 witnesses and bystanders to the Nazi terror in Ukraine. He has identified the burial sites of countless victims shot execution-style in what has been called the ''holocaust of bullets.'' Thanks to this good priest's work, names and stories are replacing the cold anonymity of mass graves. And witnesses who have held these memories in their hearts for 60 years are finding healing. Father Debois, we are honored by your presence today.

For generations to come, a lasting source of learning and memory will be the museums. In the past year, I have had the privilege to visit three with the President—Yad Vashem in Israel, the Kigali Genocide Memorial Center in Rwanda, and the U.S. Holocaust Memorial Museum here in Washington. These museums commemorate loss in distinct ways. Yet they all recognize that genocide is possible only by the denial of individuality. And they recognize that the best way to restore humanity is to retell the victims' stories, one by one.

At Yad Vashem, exhibits commemorate not only the victims lost—but also the lives lived. They show loving homes and cherished possessions—reminders of the richness of humanity stolen away.

At the Kigali Center, a communal grave holds nearly a quarter million victims, and that number continues to grow as Rwandan authorities gather remains from the 1994 genocide. God only knows—literally, only God knows—the identities of those who rest on the site. Yet inside the museum, exhibits display vivid Polaroid photographs of individual victims, most of them children. Beneath the photos are descriptions of simple things like a favorite sport or food—personal details that capture the uniqueness of each unfinished life.

At the U.S. Holocaust Museum, each visitor receives the identity card of a victim—the tragedy of the Holocaust on a personal scale. Already, 27 million visitors there have pursued their obligation of memory. Now and always, the witnesses will far outnumber the victims.

This year marks the 15th anniversary of the Holocaust Museum. Later this month, I will travel with President Bush to commemorate another proud anniversary—the 60th anniversary of the founding of Israel. The birth of Israel just three years after the Holocaust reminds us that the last word need not be death and destruction. When Air Force One touches down at Ben-Gurion airport, we will see the American and Israeli flags waving side-by-side. And we will hear two national anthems: the Star Spangled Banner, and ''Hatikvah'' . . . ''The Hope.''

Hope is at the center of Israel's existence. It is at the center of the Jewish faith. And it is at the center of our task during these Days of Remembrance. The Holocaust shows that evil is real—but hope, goodness, and courage are eternal. When we carry this truth in our hearts, we uphold the moral obligation of memory. And we summon the strength to meet our solemn pledge: Never again. Not in our moment of history and responsibility.

IN RECOGNITION OF FRANKLIN D. BARCA

Mr. GREGG. Mr. President, I rise today to express my thanks to Franklin D. Barca, a loyal member of my staff who has chosen to retire after being a public servant to our country for more than four decades. A graduate of Braintree High School in Braintree, MA, and Northeastern University, Frank served a full career as a civilian within the Department of Defense at locations such as the U.S. Army Natick Soldier Systems Center, the Portsmouth Naval Shipyard and the Pentagon. To my good fortune, Frank was assigned to my office as a detailee in 1997 and later agreed to join my staff as my military legislative assistant, a position he has dutifully held ever since.

Serving as my adviser on national security issues, Frank's greatest legacy will be his work as the clerk of the caucus created to save the Portsmouth Naval Shipyard during the 2005 round of base realignment and closure. His tireless work ethic, attention to detail, and leadership were instrumental in our efforts to show the Department of Defense that Portsmouth truly is the gold standard of the Navy. During his work on BRAC, Frank was affectionately given the nickname of ''The General.''

Walking through the Capitol with Frank you understand his love and respect for history. Whether it's showing someone Lincoln's catafalque for the first time or telling stories of the District during the Civil War, Frank

seems to have a bit of trivia for every corner of this building. In the words of another man whom the states of New Hampshire and Massachusetts lay claim, Daniel Webster, ''The dignity of history consists in reciting events with truth and accuracy, and in presenting human agents and their actions in an interesting and instructive form. The first element in history, therefore, is truthfulness; and this truthfulness must be displayed in a concrete form.'' I will certainly miss Frank's advice, straightforwardness, and willingness to go the extra mile to help me serve the people of New Hampshire.

I hope that Frank Barca will enjoy his retirement. It is an achievement that he certainly has earned. I know that Frank will get pleasure from being able to spend more time with his wife Elaine, his daughters, and his four grandchildren Katie, Meredith, Michael, and Sarah.

TRIBUTE TO PAUL BRUHN

Mr. LEAHY. Mr. President, one of the people who has done the most to protect so much in Vermont is Paul Bruhn. We Vermonters know that Paul, as the executive director of the Preservation Trust, has done an enormous service by leading conservation efforts to save the very best of our State.

I ask unanimous consent that the full article by Virginia Lindauer Simmon, from the April edition of Business People Vermont, be printed in the RECORD.

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

[From Business People Vermont, Apr. 2008]

PAST PERFECT: GUIDING THE CONSERVATION OF ONE OF THE COUNTRY'S 11 MOST ENDANGERED PLACES

(By Virginia Lindauer Simmon)

Paul Bruhn hasn't strayed far from his roots. What he has done is continue to tweak them, to the benefit of us all.

Bruhn is executive director of the Preservation Trust of Vermont, which he helped to found in 1980. The list of properties the organization has helped since then—more than 1,500—reads like a compendium of places that make Vermont . . . well, Vermont.

The organization's story is much broader than preserving historic structures. The work involves, for example, a partnership with Mad River Glen to reconstruct and rehabilitate the single lift chair, an icon of skiing in Vermont; helping people in Starksboro establish a village store—so crucial to community life in small towns and villages; acquiring a geologic site in Isle LaMotte; encouraging large-scale retailers such as Wal-Mart to consider building smaller-scale stores in Vermont's downtowns; underwriting publications that speak to the Vermont way of life; aiding community-supported agriculture or a group in Hardwick that, says Bruhn, with contagious enthusiasm, ''figured out that if you're going to have a good community and downtown revitalization project, you need a great small restaurant and pub that serves the entire community.''

Bruhn's passion for his work makes perfect sense, especially when it comes to downtowns. He grew up in Burlington, where his family owned Bruhn Office Equipment on Church Street—in the same building where Bruhn's office is today. ''I used to hang out this same window when I was a little kid watching parades,'' he says.

After graduating from Burlington High School in 1965, Bruhn studied at Fairleigh Dickinson and the University of Vermont. ''I left without graduating, and just before they were probably going to throw me out,'' he says with a grin.

At the time, he was working for the Suburban List community newspaper and its founders, Proctor and Ruth Page. ''I started out selling advertising at $25 a week,'' he says, chuckling. ''I was a reporter and took care of the paper when they were on vacation. They really gave me my start in life.''

That start included backing him when he launched Chittenden Magazine, a monthly publication he poured his life into from 1969 to '73, including mortgaging his house for living expenses. ''Proc and Ruth backed it for four years, and it was arguably an artistic success and not a real financial success.'' He laughs heartily. ''That was my real 'college' education.''

When the magazine folded, Bruhn found work with his friend Patrick Leahy, the state's attorney for Chittenden County, as a consumer fraud investigator. A year later, he was tapped to run Leahy's campaign for the U.S. Senate.

''That, obviously, was an amazing experience. I went down to Washington and served as his chief of staff for four years. I was 27, and fortunately lots of people took me under their wing and helped me through the intricacies of the operation of the Senate.''

Bruhn planned on staying two years, but lasted four, during which his interest in historic preservation grew.

Returning to Vermont in 1978, he went into consulting, first helping to organize the restoration of the Round Church in Richmond. In Washington, he had worked with Leahy on obtaining federal funding for the development of the Church Street Marketplace. Back home, he helped put together the campaign for the required local 10 percent match.

When a group he had encountered during the Round Church project—the Vermont Council of the Society for the Preservation of New England Antiquities—decided to start a statewide preservation organization, Bruhn was hired to run it, ''because I was available and inexpensive,'' he says with typical humility.

The Vermont Division for Historic Preservation had provided a good infrastructure for preservation work in the state, having worked since the early 1970s on the state survey of historic places. More than 30,000 buildings and numerous historic districts are on the state register in Vermont, and 10,000 of those are also on the national register.

Grant-making has been a piece of the organization's work since the early days, starting with small seed grants of $250 to $500. Funding comes from various sources. In the late 1980s, the organization started the Fund for Vermont's Third Century to encourage people to celebrate the bicentennial in ways that would last. It ran for four years leading up to and through Vermont's bicentennial in 1991.

In 1994, a special partnership was developed with the Freeman Foundation. ''It would be impossible to overstate how important it's been,'' Bruhn says. ''We're the nudge, the supporter, the enabler—and are lucky to have partnerships like this.'' Funding from the Freeman Foundation has provided grants to more than 300 projects and played a key role in over $115 million worth of rehabilitation work, he says.

Bruhn's lively, creative mind, good sense of humor, and ability to inspire affinity have served him well in his chosen career. James Maxwell, a Brattleboro attorney and a member of the board of the Brattleboro Arts Initiative, has seen this first-hand. He was president of the board in 2000–2001, when the BAI became involved in buying the Latchis hotel and theater complex.

''Paul is a man of wide comprehension as to the needs of downtowns in Vermont, and I would venture to say in the country as a whole,'' says Maxwell. ''Not only is his knowledge comprehensive, but he is a feeling human being, someone who resonates with groups that he works with and is of incredible assistance, not only in the nuts and bolts of how you go putting together a deal, but also how you move things along.

''He is a congregator. Without getting up on the pulpit and giving a sermon, he is able to congregate people in a situation.''

This talent and Bruhn's understanding of the benefit of being willing to change with the times have helped keep the organization strong.

He inspired change 10 years ago, when the organization entered a nationwide competition sponsored by the National Trust for Historic Preservation and the Mellon Foundation, seeking ideas on how to improve the delivery of services and the effectiveness of the historic preservation movement nationally.

Vermont was one of two states whose submissions were chosen, says Bruhn. ''We were selected for developing a program for providing field services, so instead of providing support to local organizations via telephone calls and some visiting in the field, we would hire two part-time people who would spend the vast majority of their time in the field working with local organizations helping them move their projects along.''

The Preservation Trust of Vermont received a significant grant ''It was $170,000, and that was 10 years ago,'' says Bruhn—which provided full funding the first year, 70 percent the second year, and 30 percent the final year.

The program so impressed the National Trust, it recently dedicated a $5 million grant it received to helping other statewide organizations establish their own field service programs.

Another big change came, says Bruhn, when Robert Hoehl, the co-founder of IDX, and his wife, Cindy, purchased the former Camp Marycrest from the Sisters of Mercy, then donated it to the Preservation Trust in 1997. ''We had not owned property prior to that—hadn't dreamed of owning property—but this was an amazing opportunity.''

The organization gratefully accepted and formed a partnership with caterer and former restaurateur and innkeeper Beverly Watson, who leases the property. ''We use it largely for weddings on weekends during the summer. During the week, it's used for retreats and training.''

A big turning point was in 1993, when Vermont was named an endangered state by the National Trust. This brought the issue of sprawl to the fore. ''We became a much more visible organization,'' he says, and work very closely with citizen groups and partners like the Vermont Natural Resources Council and Smart Growth Vermont on the issue of sprawl and the negative impact that big-box retailing can have on our downtowns and village centers and how they change downtowns. In 2004, the National Trust again named Vermont one of the 11 most endangered places in the nation.

Bruhn was the only staff person early on, and even today, the staff is small, with the equivalent of four full-time employees.

The other full-timers are Elise Seraus, the office manager/administrative assistant, and

Ann Cousins, who splits her hours between field services and fund raising. Bill Polk, the financial officer, works one day a week. Eric Gilbertson, who was deputy director of the Vermont Division for Historic Preservation and recently retired after almost 30 years, works half time in field services. Meg Campbell, also half time, manages the facade easement program, does field services in Bennington County, manages the Web site, and produces the electronic newsletter.

Because he's been with the organization for so many years, Bruhn says, ''there are people who say, 'Well, the Preservation Trust, it's just Paul Bruhn.' It's not even close to that.''

''I've always had a very strong, very involved board of directors who provide a lot of the direction for the organization.'' The directors, he says, genuinely like each other, are very proud of the organization, ''but that doesn't stop them from having good disagreements and good debate.''

The secret to keeping a board active and involved, he says, is to have two-day board meetings four times a year. ''In February, in the middle of a snowstorm, we went on a two-day tour around the northern part of the state.'' He counts off eight towns (and multiple projects within them). ''We talked all the while on the bus, a great discussion about what's happening in Vermont, how the community's doing, and this work—the support we try to give to local organizations.

On the importance of the organization's downtown work, Bruhn is adamant. ''I love downtown Burlington. I grew up here, helped secure funding for the Marketplace when I was working for Sen. Leahy; but downtown Burlington has become one that focuses on entertainment, high-end retail and tourism. We get that there are a lot of people in Vermont who need to be able to shop at a place like Wal-Mart, but wouldn't it be terrific if Wal-Mart would be interested and willing to build a smaller-scale store in downtown Burlington? It would insure that downtown Burlington would serve the entire community.''

Bruhn pauses and takes a breath. ''We're not in favor of pickling Vermont,'' he says. ''On the other hand, we've got to find ways to grow that reinforce what's important about our place. It's essential that we are good stewards of our place.''

TRIBUTE TO CON HOGAN

Mr. LEAHY. Mr. President, Marcelle and I have a good friend in Vermont named Cornelius Hogan, although everyone knows him as Con Hogan.

In our State, we have been fortunate to have people, of both political parties, who have given a great deal of themselves to serve the people of Vermont, and Con is an excellent example of that.

Recently, the newspaper the Times Argus published an excellent profile of him. I called Con and Jeanette to say how much I enjoyed it. I would like to share the piece with my fellow Senators, and ask unanimous consent that it be printed in the RECORD.

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

A LIFE WELL SERVED; PLAINFIELD'S CON HOGAN REMININSCES ABOUT TIME IN GOVERNMENT, BUSINESS

(By Susan Allen)

PLAINFIELD.—Every Thursday a 4 p.m., the late Gov. Richard Snelling would invite some of his cabinet members to his office and put a bottle of Wild Turkey bourbon and glasses on his desk.

''You could talk about anything you wanted,'' recalled Con Hogan last week, seated at the kitchen table in his Plainfield home, with an expansive view that includes the ski slopes of Sugarbush and Mad River Glen.

That was a new one for me. I thought I'd heard most of the behind-the-scenes stories from past—and present—administrations. I've been in the Vermont press that long, and collect interesting and odd-ball recollections like some people collect stamps. I'm fascinated by the people who devote their lives to serving the state.

But Hogan's reminiscences during our conversation proved how many good stories I've missed.

Hogan is retired from his extensive tenure in state government and we started talking about how busy he is during his so-called retirement (more on that later), but quickly began trading accounts of political personalities. Most of his tales were gathered during his professional journey from serving as a guard in a prison in Annandale, N.J., to heading Vermont's massive Human Services Agency under Snelling and former Gov. Howard Dean.

That journey included two significant side trips: An 11-year stint in the private sector helping International Coins and Currency slog its way out of bankruptcy in the 1980s, and an ''ill-thought,'' unsuccessful run for governor as an independent against incumbent Jim Douglas and Democrat Douglas Racine in 2002.

''That was a period of temporary insanity,'' he said of the gubernatorial race, which almost certainly burned some bridges with the GOP hierarchy. ''I don't regret it, but I don't consider it a high point.''

Hogan received a degree in psychology from Rutgers, married wife Jeanette in 1965, and took a job as a prison guard in Annandale, rising quickly through the ranks to eventually serve as a division head with the New Jersey Department of Corrections, focusing on the budget.

''I loved it,'' he recalled of those 7 years. ''The people who work in that line are under such professional pressure that you become fast friends, the closest friends.''

Hogan and his wife regularly visited a good friend in Vermont who lived on an apple farm in Bennington, and in 1972 at age 28, he applied for the job of corrections commissioner in this State. He chuckles at his own audacity, and the outcome.

Then-Secretary of Administration Richard Mallary (who went on to serve in the U.S. House for Vermont) wrote Hogan a two-page, handwritten letter thanking him for his interest, letting him know the job was already filled, but urging him to contact the new commissioner to talk about becoming his deputy.

Hogan is amazed at the thought of Mallary writing such a long, personal note. But back in 1972, he did apply for deputy commissioner post and got the job.

Those were tumultuous years in corrections, he said. Then-Gov. Thomas Salmon, trying to control a huge state deficit, issued a 10 percent cut in all budgets, to be executed in 60 days—a staggering assignment, Hogan knew.

And the Windsor prison, which had opened in 1808 during the U.S. presidential administration of Thomas Jefferson, was closed in the early 1970s, leaving the State without a maximum security prison for a number of years.

With Snelling's first election in 1976, Hogan moved into the post of commissioner of Social and Rehabilitative Services, again during a difficult time. The Weeks School for juvenile offenders closed, forcing the State to redistribute the 400 youth to smaller group facilities around the State.

Hogan recalled that all but 15 were placed at one point. Those 15, he said, were sent to stay with a Vermont couple who—without the State's knowledge—packed them all into a Winnebago and headed off to see the country.

''The dad called me from New Orleans,'' Hogan said. ''I said, 'What are you doing in New Orleans?' ''

Four of the young Vermonters had run off, and the state scrambled to fix the mess. Fortunately the story ended well for everyone and never (until now) became public, Hogan said with a grin.

After his 11-year foray with ICC in the 1980s, Hogan once again received a call from Snelling, who was considering a run for governor and wanted Hogan to head his transition team if elected. Snelling was elected and appointed Hogan his secretary of Human Services in 1991.

''During the transition, I was working from 6 a.m. to midnight, staying in the office—sometimes I slept over,'' he said. During a meeting one day, Hogan was called out because Jeanette was outside with fresh clothes for her husband. ''I need to explain to my wife why I'm spending more time with you than her,'' Hogan told Snelling, who didn't like meetings interrupted.

''He lit up. 'Let's go meet your wife,' '' Hogan recalled. Jeanette had just been to the dentist and had a front tooth removed, flashing a smile that showed a gaping hole. Hogan said Snelling never missed a beat and made a ''big show'' of graciousness to his wife.

Hogan recalled Snelling's impatience with long presentations. So, as Human Services Secretary, Hogan created a game where he took a deck of cards, and on each wrote a one-line synopsis of a proposed program, the cost, and the supporters and opponents. Fifty-two suggestions.

Snelling loved it; he'd flip through the cards quickly and make two piles: Yes and No. And Hogan knew how to proceed.

''He was at the top of his game,'' said Hogan of Snelling during that second trip to the governor's office. His recollections of his former boss are nostalgic and reflect his respect and deep admiration for the late governor.

Snelling died in office on Aug. 13, 1991. During his brief second tenure as governor, he worked with Democratic House Speaker Ralph Wright to craft a plan to retire an enormous state deficit, another point of pride for Hogan.

The day after Snelling's death, new Gov. Howard Dean called Hogan into his office for a briefing on the Human Services Agency.

''I was in no shape to go,'' Hogan recalled. Not only was he mourning Snelling's passing, he didn't know Dean or what to expect from the former lieutenant governor.

Hogan arrived with a list of 50 issues to discuss, and spent an hour running through them all. ''Dean didn't say a word, he just listened. He was either getting it . . . or not getting it and he did,'' Hogan recalled.

The two worked well together for 8 years until Hogan left the administration in November 1999. ''There's a half-life to that kind of job,'' he said of Human Services secretary. After making progress on many social issues, ''I had begun to see some of the same problems again.''

Then came the ill-fated gubernatorial run.

Followed by retirement—or Hogan's version of retirement: He travels the world working with countries that include Australia, Israel, Chile, Norway, Northern Ireland, Scotland, and in May, Holland, to improve their government structure and programs for children.

He has also become involved in informal lobbying efforts for universal health care (the number of uninsured Vermonters has climbed from 42,000 in 2001 to 69,000 today, he noted; he predicts the increase will continue without serious action). He considers high health care costs a ''serious economic threat'' to the State.

He serves on the board of Vermont College in Montpelier, which is seeking certification and funding. Hogan also continues to play the banjo with his band, Cold Country Bluegrass (Jeanette plays the string bass).

And he helps Jeannette around the family horse farm, which she started but is now run by their daughter, Ruth.

That's Con Hogan's idea of retirement.

His son lives next door with Hogan's two grandchildren, and Ruth lives around the corner. And in the end, that is his life's ambition achieved.

''Having my family close enough to enjoy their successes, and watch the kids grow up,'' he said. ''Nothing comes close. This to me is what it's all about.''

TRIBUTE TO REEVE LINDBERGH

Mr. President, Marcelle and I have many wonderful friends in Vermont. Some were born in Vermont, and others have come to enjoy our very special State. In the latter capacity is our friend Reeve Lindbergh, who lives with her husband, Nat Tripp, in Vermont.

Like her parents, Reeve is a terrific author, and a conversation with Reeve is a conversation worth having. You always learn something from it, but, more importantly, you always leave with a greater sense of what is essential in life. I am extremely proud of her.

Kevin O'Connor recently wrote a profile of Reeve, which I would like to share with my fellow senators. This profile does a good deal to capture her essence, and I ask unanimous consent that it be printed in the RECORD.

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

[From the Rutland Herald, Mar. 30, 2008]

ONWARD AND UPWARD: DAUGHTER OF LEGENDS, REEVE LINDBERGH LOOKS ''FORWARD FROM HERE''

(By Kevin O'Connor)

Vermonter Reeve Lindbergh wrote her first memoir about growing up with her father, aviator Charles Lindbergh, and her second memoir about the final months of her mother, author Anne Morrow Lindbergh. Recently turning 60, she began a third memoir—this one about aging. She aimed to leap fearlessly into the future right from its title: ''Forward From Here: Leaving Middle Age—and Other Unexpected Adventures.''

That's when she found herself pulled every which way by the past.

First she thought about all the unlisted phone numbers still ringing in her memory—one of many safeguards instituted by her parents after the 1932 kidnapping of her late brother, Charles Jr.

''When you are taught to memorize your home phone number and never to reveal it except to close relatives and maybe the family doctor, you don't forget that number.''

Then she thought about the day in 2001 when, after the death of her mother, she drove from her Northeast Kingdom home to a storage building in Stamford, Conn. There she opened box after box to find her parents' 1929 wedding gifts in their original wrappings. Pausing for lunch at a nearby diner, she glanced at a television to discover, 30 miles south, the smoldering remains of New York City's World Trade Center.

It was Sept. 11.

Finally she thought about what her publisher bills as her book's ''shocking surprise.'' Lindbergh long described herself as the youngest of five children. Then in 2003 she learned her late father—the first person to fly solo and nonstop from New York to Paris—later crisscrossed the Atlantic out of a too-literal interest in foreign affairs.

''In one essay that is sure to attract much attention, the author writes about her reaction to learning that her father had three families in Europe, a fact that remained a secret for 50 years,'' publicity promises. ''This is the first time any member of the Lindbergh family has discussed in detail their reaction to the controversial and surprising revelation.''

Lindbergh, angry at her father upon learning the news, now can laugh at such hype. New book in hand, she not only has made peace with all her discordant memories but also arranged them into a mosaic of ''sly, gentle humor'' and ''quiet resolve'' (says Publishers Weekly) that's reassuringly human.

The modest yet gregarious 5-foot-3 daughter of the 6-foot-3 flyer is drawing the attention of Vanity Fair and the New York Times. But the 40-year Vermonter would be just as happy sticking out mud season at home with her husband, her monthly End-of-the-Road Writers Group (named less for its participants than its location) and her menagerie of dogs, chickens and sheep.

''I'm not so interested in being confessional, but in what certain experiences are like,'' she says in an interview. ''When you're pretty honest and not too fancy, it seems to help people.''

HIPPIE FLATLANDER

Lindbergh has long had a thirst for life. Tiny and anemic at birth, she required a pint transfusion of her father's blood. She still remembers her thoughts upon receiving the newly invented polio vaccine as a 1950s schoolchild: ''I'd hope that death would be wiped out by the time I grew up.''

Alas, mortality remains uncured. So what does aging mean to a 60-year-old woman, wife and mother? Lindbergh put her left hand to yellow-lined paper to pen a series of essays. Reflecting on the present, she found herself rewinding to the past.

Growing up in a Connecticut suburb where ''tea hour'' led to ''sherry hour,'' Lindbergh nevertheless found her family didn't drink up fame. Her father—a Midwest farm boy who focused on the moment rather than on memories—never talked about his historic 1927 flight. Her mother therefore had to offer reassurance when they watched Jimmy Stewart re-create his grueling 33½-hour crossing on the movie screen at Radio City Music Hall.

''Does he make it?'' his little daughter asked.

Her father didn't fly to escape the earth, she knows today. As a conservationist, he just wanted a bird's-eye view. With a similar love of the land, she moved to the Green Mountains upon graduating from Radcliffe College in 1968, taking a teaching job in the southern Vermont town of Readsboro before retreating north in 1971 to the countryside outside St. Johnsbury.

''The optimists among us thought they were harbingers of a quieter, cleaner, saner way of life on the planet, returning to past customs in order to create a better future,'' she writes. ''Some native Vermonters, especially older ones who had spent their early years on farms without electricity or indoor plumbing and had been chopping, stacking and burning firewood all their lives, smiled good-naturedly and shook their heads.''

Others just labeled her and her like ''hippie flatlanders.'' Reeve wed a man named Richard, then befriended fellow transplants Nat and Patty. Soon came children, midlife, divorce and a new couple: Reeve and Nat (Tripp, himself an accomplished author). Today the last of the offspring have flown the coop, leaving Lindbergh with a teeming henhouse, sheep barn and sofa for two dogs.

''Why not?'' she says of the canine couch. ''Nobody else was using it.''

Entering the life stage her mother called ''the youth of old age,'' she also faces countless questions.

SIXTIES GENERATION

The first: Can a couple of ''hippie homesteaders'' who harvest 600 bales of hay a year get a hot tub?

Her brain said no. But her achy right shoulder and her husband's bad knee screamed yes.

What about her view of wrinkles?

''When I say I don't mind looking at my face in the mirror anymore, part of the reason may be that I can't see it,'' she writes. ''Maybe I care less now than I did then about how I look to other people, or maybe I know from long experience that most people ignore our imperfections because they are concentrating upon theirs.''

And drugs?

''As I and the other members of this much-publicized 'Sixties Generation' go through our own sixties—and seventies and eighties and (we secretly hope) beyond—the least we can do for ourselves is live up to our own mythology and take lots of drugs.''

(''Legal drugs,'' she clarifies.)

Lindbergh, seeking to comment on both the salvation and side effects brought by modern-day pharmaceuticals, devotes a full chapter to listing everything in her medicine cabinet, from the anticonvulsants required after falling off a horse to the antidepressants prescribed during the year her mother was dying.

''I realize there are people who are embarrassed about the medications they take,'' she says in an interview, ''but it was in no way difficult for me to write about that.''

Neither does she shy away from the topic of death—not that she has made peace with it. Take the three fuzzy chicks on her property that wandered from their mother and perished.

''Even after 30–odd years of country living, with all the dead chicks, dead lambs, dead dogs and dead horses, the hamsters, the rabbits, the lizards and the turtles (not to mention, dear God, the people!), I still get upset about it.''

Lindbergh writes about the burial of her father, who died of cancer in 1974 at age 72, and the cremation of her mother, who died in 2001 at age 94. The resulting ashes led to a question: ''Where do you put them?''

Family members scattered them in favorite places around the world—but only after their matriarch, a gardener, first considered a flower bed.

''She said it would be so good for the lilies of the valley,'' Reeve Lindbergh reports matter-of-factly.

A PRIVATE MATTER

Lindbergh has spent much of this new century wrestling with the old one.

In 2004, she traveled to the Florida island of Captiva where her mother wrote the 1955 book ''Gift from the Sea.'' In that collection of essays, Anne Morrow Lindbergh found meaning in shells—from the channeled whelk that represents ''the ideal of a simplified life'' to the moon shell that reminded her of solitude.

A half-century later, Reeve Lindbergh discovered many of the same shells—as well as discarded plastic cups, drinking straws and cigarette butts. She tucked away the treasures and threw away the trash. But she can't pitch other remnants of her past so easily.

The kidnapping and death of her parents' first child, 20-month-old Charles Jr., topped world news in 1932. Decades later, people still write to say they're her long-lost brother. That's why she was skeptical when, five years ago, the European press claimed her father had affairs with three German women who gave birth to five boys and two girls.

The headlines proved explosive: ''Lindbergh fathered children by three mistresses.'' Adding fuel, the stories reminded readers that some people had labeled the American hero as a Nazi sympathizer when he opposed the United States' entry into World War II.

Reeve Lindbergh replied with a public statement still pinned to her bulletin board: ''The Lindbergh family is treating this situation as a private matter, and has taken steps to open personal channels of communication, with sensitivity to all concerned.'' (Today she translates that to mean: ''We don't know any more than you do, but we're trying to figure this out while causing as little pain as possible.'')

DNA tests proved the reports to be true. In her book, Lindbergh recalls her initial feelings of anger and bitterness.

''How do I fold this story into my memories of my father?'' she writes. ''I certainly could have done without his endless lectures on the Population Explosion, with all those graphs and charts on 'exponential growth curves' (that's a direct quote). How could he have done this with a straight face, let alone a clear conscience? A man who fathered 13—I think, I still have to stop and count us!''

Calmer now, she has visited her European siblings and hosted them in Vermont. Meeting one half brother halfway around the world, she shook her head just like he did, all the while silently sharing the same thought: ''This is absolutely normal and completely insane, too.''

Lindbergh devotes her book's last chapter to her conflicting emotions about her father's secret. (Kirkus Reviews hails it as ''a moving account.'') She didn't plan to write about it so publicly. Then she found reason.

''I've noticed how many things there are that people are afraid to talk about,'' she says in an interview. ''If you leave something in the realm of scandal and sensation, it becomes very unreal. I just wanted to write about it and then let it be. I've found, in spite of all the craziness, that my new relatives are just great.''

LUCKY . . .'

Life, she has discovered, eventually puts everything in perspective.

Lindbergh wrote one chapter about clutter in her mind. Ten days later, she was diagnosed with a brain tumor. It led to surgery—and something equally unexpected.

''I soon discovered that the effect the two words 'brain tumor' have on people is remarkable: 'I'm sorry, I can't help you/be there/send a contribution just now. I have a brain tumor.' Stunned silence, then instant retreat. With these results it's hard to resist taking advantage of the circumstances.''

Even so, Lindbergh gladly agreed to serve as grand marshal of the annual Lyndonville (village population 1,236) Stars and Stripes Festival parade.

She isn't the first in her family to face a medical crisis. Her older sister, Thetford writer Anne Spencer Lindbergh, died of cancer 15 years ago at age 53.

''I worry less and less, not more and more, about getting old myself,'' Reeve Lindbergh says. ''I don't mind if I do. I wish she could, too.''

Lindbergh faces a busy spring. She'll serve as narrator next weekend for the Bella Voce Women's Chorus of Vermont premiere of Braintree composer Gwyneth Walker's new work ''Lessons from the Sea,'' inspired by Anne Morrow Lindbergh's ''Gift from the Sea.''

She'll then appear at more than a dozen New England bookstores as the national media rolls out profiles and reviews. She finds such travel can be exhilarating and exhausting—As a result, she'll no longer attend so many far-flung celebrations of her father and instead stay closer to home to read the unpublished writings of her mother.

''With a family like mine, you have to be careful not to let history take over too much of your life,'' she says. ''I think I could let other people represent my parents at ceremonies. My mother's work has always struck a spark, especially with women. I would love to see some of that unpublished material out in the world.''

Leaving middle age, Lindbergh hears the clock ticking. She remembers two framed needlepoint phrases in her grandmother Morrow's home. One said, ''It is later than you think!'' The other said: ''There is still time.''

''I don't know what further changes I will enjoy or endure as I age, but I do know the answer to the question I asked myself at 30, and 40, and 50: 'How did I get to be this old?' I was lucky.''

ADDITIONAL STATEMENTS

TRIBUTE TO BILL KENNEDY

• Mr. COCHRAN. Mr. President, I am pleased to commend Bill Kennedy of Inverness, MS, for his distinguished service and exemplary contributions to the Mississippi Delta as president of the Delta Council.

Delta Council, an economic development organization in the Mississippi Delta, represents the business, professional, and agricultural leadership of the region. Bill has commendably fulfilled the role of president during a time when Mississippi agriculture and the economy of the State of Mississippi have faced significant challenges.

As president of the Delta Council, Bill was called upon to commit time and resources to the ever-pressing issues of Mississippi River flooding due to the delta's geographic location at the bottom of a watershed funnel encompassing most of the United States.

Bill Kennedy has set the standard by which other agricultural leaders of the Mississippi Delta are measured. As past president of the MS Ginners Association, past president of the Southern Cotton Ginners Association, and president of Duncan Gin, one of the oldest and most successful agricultural enterprises in the Mississippi Delta, Bill has proven to be an effective advocate on behalf of delta agriculture. Because of his unique understanding of the U.S. cotton industry, his counsel is frequently sought when issues of national, statewide, or regional concern arise.

Additionally, the role which Bill Kennedy has played in wildlife conservation through his leadership as former president of Delta Wildlife is inestimable. Bill is a true sportsman and conservationist who has devoted thousands of hours to making the Mississippi Delta a better place for all those who live and do business in the region.

I congratulate Bill Kennedy, and thank his wife Lanny, his son Larkin, and daughter in law, Jenny Ruth, for the year which they have shared with the delta while Bill has served as president of Delta Council.•

RECOGNIZING BRYAN McDONALD

• Mr. COCHRAN. Mr. President, I am pleased to recognize the service of one of my constituents, Mr. Bryan McDonald. Bryan has served the State of Mississippi and Governor Haley Barbour as director of the Governor's Office of Recovery and Renewal. In his final week as director, I thank him for his outstanding contribution to Mississippi's progress in the aftermath of Hurricane Katrina.

Prior to his appointment, Bryan worked with the Mississippi Emergency Management Agency as director of accounting Oversight, where he helped provide assistance to governmental and nonprofit applicants under the Stafford Act. Bryan's extensive management experience as a CPA and auditor suited the State perfectly in our recovery efforts.

Bryan established a team and a process which ensured FEMA public assistance dollars were accounted for and complied with Federal regulations. The system expedited reimbursements to State and local governments and resulted in over 99 percent of projects being obligated by FEMA. Considering the unprecedented magnitude of this disaster, this was truly a monumental task and one that had never before been undertaken.

As director of the Office of Recovery and Renewal, Bryan again put the right people and processes in place to manage the Federal assistance entrusted to the State of Mississippi. Thousands of homeowners have received direct financial assistance through the homeowners assistance grant program; programs and policies have been implemented which will result in the development of low income housing units in excess of what was available before the storm, and Katrina affected cities and counties have received the much needed Federal resources to rebuild and revitalize their communities.

Bryan has worked to ensure that every Federal taxpayer dollar entrusted to Mississippi has been and continues to be spent efficiently and appropriately. The State of Mississippi and this country owe Bryan a debt of gratitude for taking a leave of absence from his private sector career to serve our great State. As we know, public service can be a strain on our families both financially and emotionally. I want to thank Bryan's wife Michelle and his two children, Matt and Laura Beth, for their sacrifice and support while allowing Bryan to serve our State.

Bryan has reflected great credit on the State of Mississippi and I appreciate his service.●

70TH ANNIVERSARY OF THE OMAHA STAR

● Mr. NELSON of Nebraska. Mr. President, today I wish to honor the Omaha Star, the largest and oldest African-American newspaper in my home State of Nebraska. The Star is celebrating its 70th Anniversary this year.

The Omaha Star is currently distributed in 48 States, as the paper has become legendary for its civil rights work. Since its beginning, the Star has been a champion in the struggle for equal rights.

The Omaha Star was founded in 1938 by the late Mildred Brown, a remarkable person in her own right, who was also the aunt of the current publisher and editor, Dr. Marguerita L. Washington. Mrs. Brown's foresight and pioneering spirit in establishing the Star required not only a dedicated amount of time and effort, but also courage and vigilance. Her efforts paid off, as the paper continues to educate and advocate; and Mrs. Brown was posthumously inducted into the Nebraska Journalism Hall of Fame this past year.

In addition, the building housing the Omaha Star was listed on the National Register of Historic Places in January. Mrs. Brown allowed the Star to provide a home for the De Porres Club, an active civil rights organization within the North Omaha community. The Star also kept its readership apprised of the civil rights movement's successes and failures across the country by researching the issues and urging involvement.

The Omaha Star's mission states that it is ''dedicated to the service of the people that no good cause shall lack a champion and that evil shall not go unopposed.'' My fellow Nebraskans and I take great pride in knowing that the Star has faithfully abided by this mission throughout its 70 years of existence, and we will continue to follow the Omaha Star on its spirited journey to provide a voice for civil rights and equality for all.●

TRIBUTE TO LTC JOHN LUCAS

● Mr. PRYOR. Mr. President, today, I wish to acknowledge the love and support LTC John Lucas's family has shown him during his 24 years of service in the U.S. Air Force. LTC John Lucas, an Arkansas native, will retire from the Air Force on August 1, 2008. Lieutenant Colonel Lucas attended the University of Arkansas, making me particularly proud because that is my alma mater, and his oldest son, John Lucas, is carrying on the tradition as a freshman at the university as well.

Lieutenant Colonel Lucas's wife, Coleen, wrote to me on the occasion of his retirement and asked that I write a note of thanks to their family and her husband in an effort to recognize their sacrifice and support over the last 24 year. She writes:

> While John served his country, his family and mine were both loving and supportive through times of crisis, war and peace. We had times of struggle but both of our families helped me and our children so that my husband could serve our country. Over the past 24 years, we have moved eight times, lived in 11 homes, uprooted the children from schools, moved them away from friends, and endured deployments. Through it all the one constant was family.

Our men and women in uniform have a tremendous responsibility to protect our Nation's freedoms and it is family support that helps them accomplish their mission. Sacrifice, selflessness and perseverance define the special role of a military family such as the Lucas family.

Today, I thank John C. Lucas and his family for their service to our Nation. Our country is blessed to have you John, Coleen, Kevin, Bryan and Andrea Lucas.●

RECOGNIZING DAVID STEVENS

● Mr. THUNE. Mr. President, today, I wish to recognize David Stevens, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

David is a graduate of O'Gorman High School in Sioux Falls, SD, and the University of South Dakota. In the fall he will attend the Sanford School of Medicine at the University of South Dakota. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to David for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING RENÉE LATTERELL

● Mr. THUNE. Mr. President, today, I wish to recognize Renée Latterell, an intern in my Washington, DC, 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.

Renée is a graduate of Central High School in Aberdeen, SD, and of North Dakota State University, where she majored in Spanish and international studies. 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 Renée for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING SAM GRIFFIN

● Mr. THUNE. Mr. President, today I wish to recognize Sam Griffin, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Sam is a graduate of Jefferson Senior High School in Alexandria, MN. Currently he is attending American University, where he is majoring in Political Science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Sam for all of the fine work he has done and wish him continued success in the years to come.●

RECOGNIZING JONATHAN ABDNOR

● Mr. THUNE. Mr. President, today I recognize Jonathan Abdnor, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Jonathan is a graduate of Prospect High School in Mount Prospect, IL. Currently he is attending the University of Illinois at Urbana-Champaign, where he is majoring in news editorial journalism. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Jonathan for all of the fine work he has done and wish him continued success 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 which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER THAT TAKES ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13047 OF MAY 20, 1997—PM 45

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:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order

(the ''order'') that takes additional steps with respect to the national emergency declared in Executive Order 13047 of May 20, 1997, and expanded in Executive Order 13448 of October 18, 2007.

In 1997, the United States put in place a prohibition on new investment in Burma in response to the Government of Burma's large scale repression of the democratic opposition in that country. On July 28, 2003, those sanctions were expanded by steps taken in Executive Order 13310, which contained prohibitions implementing sections 3 and 4 of the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) (the ″Act″) and supplemented that Act with additional restrictions. On October 18, 2007, I determined that the Government of Burma's continued repression of the democratic opposition in Burma, manifested at the time in the violent response to peaceful demonstrations, the commission of human rights abuses related to political repression, and engagement in public corruption, including by diverting or misusing Burmese public assets or by misusing public authority, warranted an expansion of the then-existing sanctions. Executive Order 13448, issued on that date, incorporated existing designation criteria set forth in Executive Order 13310, blocked the property and interests in property of persons listed in the Annex to that Executive Order, and provided additional criteria for designations of certain other persons.

The order supplements the existing designation criteria set forth in Executive Order 13310, as incorporated in and expanded by Executive Order 13448. The order blocks the property and interest in property in the United States of persons listed in the Annex to the order and provides additional criteria for designations of persons determined by the Secretary of the Treasury, after consultation with the Secretary of State, to be owned or controlled by, directly or indirectly, the Government of Burma or an official or officials of the Government of Burma; to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, the Government of Burma, the State Peace and Development Council of Burma, the Union Solidarity and Development Association of Burma, any successor entity to any of the foregoing, any senior official of any of the foregoing, or any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or the order; or to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to Executive Order 13310, Executive Order 13448, or the order.

The order leaves in place the existing prohibitions on new investment, the exportation or reexportation to Burma of financial services, and the importation of any article that is a product of Burma, which were put into effect in Executive Order 13047 and Executive Order 13310.

The order authorizes the Secretary of the Treasury, after consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and section 4 of the Burmese Freedom and Democracy Act of 2003 as may be necessary to carry out the purposes of the order.

I am enclosing a copy of the Executive Order I have issued.

GEORGE W. BUSH.

THE WHITE HOUSE, *April 30, 2008*.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2457. An act to provide for extensions of leases of certain land by Mashantucket Pequot (Western) Tribe.

S. 2739. An act to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

At 1:35 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 493) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

The message further announces that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 340. Concurrent resolution to make technical corrections in the enrollment of the bill H.R. 493.

At 2:06 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. 2954. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

At 2:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 5715) to ensure continued availability of access to the Federal student loan program for students and families.

ENROLLED BILL SIGNED

At 4:08 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:

S. 2954. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 6:25 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 bills, in which it requests the concurrence of the Senate:

H.R. 1777. An act to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

H.R. 5522. An act to require the Secretary of Labor to issue interim and final occupational safety and health standards regarding worker exposure to combustible dust, and for other purposes.

H.R. 5919. An act to make technical corrections regarding the Newborn Screening Saves Lives Act of 2007.

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. 330. Concurrent resolution supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1777. An act to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws; to the Committee on the Judiciary.

H.R. 5522. An act to require the Secretary of Labor to issue interim and final occupational safety and health standards regarding worker exposure to combustible dust, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 330. Concurrent resolution supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on May 1, 2008, she had presented to the President of the United States the following enrolled bills:

S. 2457. An act to provide for extensions of leases of certain land by Mashantucket Pequot (Western) Tribe.

S. 2739. An act to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, to implement further the Act approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes.

S. 2954. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–6014. A communication from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Special Supplemental Nutrition Program for Women, Infants and Children: Miscellaneous Vendor-Related Provisions'' (RIN0584–AD36) receive on April 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6015. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tobacco Transition Payment Program; Release of Records'' (RIN0560–AH79) received on April 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6016. A communication from the Secretary of the Army, transmitting, pursuant to law, a letter detailing his determination that the Average Procurement Unit Cost metric for the Javelin Advanced Anti-Tank Missile has exceeded the significant cost growth threshold; to the Committee on Armed Services.

EC–6017. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department's competitive sourcing efforts during fiscal year 2007; to the Committee on Armed Services.

EC–6018. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Extension of Authority to Carry Out Certain Prototype Projects'' (DFARS Case 2008–D008) received on April 29, 2008; to the Committee on Armed Services.

EC–6019. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Deletion of Obsolete Restriction on Acquisition of Vessel Propellers'' (DFARS Case 2007–D027) received on April 29, 2008; to the Committee on Armed Services.

EC–6020. A communication from the Director, Defense Procurement, Acquisition Policy, and Strategic Sourcing, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Earned Value Management Systems'' (DFARS Case 2005–D006) received on April 29, 2008; to the Committee on Armed Services.

EC–6021. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2007 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC–6022. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Dan K. McNeill, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6023. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Burwell B. Bell III, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–6024. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–6025. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's activities during calendar year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–6026. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (73 FR 19161) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6027. A communication from the Attorney, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (44 CFR Part 65) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6028. A communication from the Attorney, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Proposed Flood Elevation Determinations'' (Docket No. FEMA–B–7771) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6029. A communication from the Attorney, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' (44 CFR Part 67) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6030. A communication from the Attorney, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations'' (Docket No. FEMA–B–7772) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6031. A communication from the Attorney, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Proposed Flood Elevation Determinations'' (Docket No. FEMA–B–7773) received on April 29, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC–6032. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's Annual Report for calendar year 2007; to the Committee on Banking, Housing, and Urban Affairs.

EC–6033. A communication from the Acting Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife; Sea Turtle Conservation'' (RIN0648–R84) received on April 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6034. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Approve the Georges Bank Cod Hook Sector's 2008 Operations Plan; Northeast Multispecies Fishery Management Plan'' (RIN068–AW16) received on April 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6035. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; Management Measures in the Main Hawaiian Islands'' (RIN068–AU22) received on April 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6036. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2008 Specifications and Management Measures for Atlantic Mackerel, Squid, Butterfish Fisheries'' (RIN068–AV40) received on April 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6037. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual progress report entitled, ''Report to Congress on the Fiscal Year 2007 Competitive Sourcing Efforts''; to the Committee on Commerce, Science, and Transportation.

EC–6038. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Aviation and International Affairs, received on April 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6039. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Interlocutory Review of Rulings on Requests by Potential Parties for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information'' (RIN3150–AI08) received on April 29, 2008; to the Committee on Environment and Public Works.

EC–6040. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier I Issue—Section 965 Foreign Earnings Repatriation Directive No. 2'' (LMSB–4–0408–021) received on April 29, 2008; to the Committee on Finance.

EC–6041. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Examination of Dividends Received Deduction on Separate Accounts of Life Insurance Companies Directive'' (LMSB–04–0308–010) received on April 29, 2008; to the Committee on Finance.

EC–6042. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier II Issue—Interchange and Merchant Discount Fees Directive No. 1'' (LMSB–04–0208–002) received

on April 29, 2008; to the Committee on Finance.

EC–6043. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Special Rules to Reduce Section 1446 Withholding'' ((RIN1545–BD80)(TD 9394)) received on April 29, 2008; to the Committee on Finance.

EC–6044. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled, ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 for Calendar Year 2007''; to the Committee on Finance.

EC–6045. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Arms Traffic in Arms Regulations: North Atlantic Treaty Organization'' (22 CFR Part 123) received on April 29, 2008; to the Committee on Foreign Relations.

EC–6046. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's 2007 Buy American Act Report; to the Committee on Health, Education, Labor, and Pensions.

EC–6047. A communication from the Assistant Secretary of Education (Special Education and Rehabilitative Services), transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects for a Center on Post-Secondary Education for Students with Intellectual Disabilities—Notice of Final Priority and Definitions'' (4000–01–U) received on April 29, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6048. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Default Investment Alternatives Under Participant Directed Individual Account Plans'' (RIN1210–AB10) received on April 29, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6049. A communication from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on April 29, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6050. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to postmarket surveillance of medical devices used in pediatric populations; to the Committee on Health, Education, Labor, and Pensions.

EC–6051. A communication from the District of Columbia Auditor, transmitting a report entitled, ''Audit of Child and Family Services Agency's Contracting and Quality Assurance Procedures''; to the Committee on Homeland Security and Governmental Affairs.

EC–6052. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Annual Report of the Office of Justice Programs for fiscal year 2006; to the Committee on the Judiciary.

EC–6053. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Swan Creek Viticultural Area'' (RIN1513–AB20) received on April 29, 2008; to the Committee on the Judiciary.

EC–6054. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of U.S. Attorney for the District of Connecticut, received on April 29, 2008; to the Committee on the Judiciary.

EC–6055. A communication from the Deputy Assistant Administrator, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Exempt Anabolic Steroid Products'' (RIN1117–AA98) received on April 29, 2008; to the Committee on the Judiciary.

EC–6056. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Small Business Size Standards; Adoption of 2007 North American Industry Classification System for Size Standards'' (RIN3245–AF66) received on April 29, 2008; to the Committee on Small Business and Entrepreneurship.

EC–6057. A communication from the Director of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Notice and Assistance Requirements and Technical Correction'' (RIN2900–AM17) received on April 29, 2008; to the Committee on Veterans' Affairs.

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. BAUCUS (for himself, Mr. TESTER, and Mr. LUGAR):

S. 2951. A bill to require reports on the progress of the Secretary of Veterans Affairs in addressing causes for variances in compensation payments for veterans for service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 2952. A bill to improve food safety through mandatory meat, meat product, poultry, and poultry product recall authority, to require the Secretary of Agriculture to improve communication about recalls with schools participating in the school lunch and breakfast programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CRAIG (for himself, Mr. WARNER, and Mr. INHOFE):

S. 2953. A bill to provide for the development and inventory of certain outer Continental Shelf resources, to suspend petroleum acquisition for the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 2954. A bill to amend Public Law 110-196 to provide for a temporary extension of progress authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008; considered and passed.

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

S. 2955. A bill to authorize funds to the Local Initiatives Support Corporation to carry out its Community Safety Initiative; to the Committee on the Judiciary.

By Mr. LEVIN (for himself, Mr. COLEMAN, and Mr. OBAMA):

S. 2956. A bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent wrongdoers from exploiting United States corporations for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LIEBERMAN:

S. 2957. A bill to modernize credit union net worth standards, advance credit union efforts to promote economic growth, and modify credit union regularity standards and reduce burdens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DOMENICI (for himself, Mr. BUNNING, Mr. SESSIONS, Mrs. HUTCHISON, Mr. BOND, Mr. INHOFE, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BENNETT, Mr. WICKER, Mr. CHAMBLISS, Mr. STEVENS, Mr. CORNYN, Mr. ENZI, Mr. ISAKSON, Mr. THUNE, Mr. VOINOVICH, Mr. ALLARD, and Mr. MCCONNELL):

S. 2958. A bill to promote the energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, Mr. TESTER, and Mr. HARKIN):

S. 2959. A bill to amend the Help America Vote Act of 2002 to require States to provide for election day registration; to the Committee on Rules and Administration.

By Mr. DODD:

S. 2960. A bill to amend the Homeland Security Act of 2002, to establish the Office for Bombing Prevention, to enhance the role of State and local bomb squads, public safety dive teams, explosive detection canine teams, and special weapons and tactics teams in national improvised explosive device prevention policy, to establish a grant program to provide for training, equipment, and staffing of State and local improvised explosive device prevention, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA:

S. 2961. A bill to amend title 38, United States Code, to enhance the refinancing of home loans by veterans; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 2962. A bill to amend title XVIII of the Social Security Act to improve the provision of items and services provided to Medicare beneficiaries residing in States with more cost-effective health care delivery systems; to the Committee on Finance.

By Mr. BOND (for himself, Mrs. BOXER, Mr. STEVENS, Mr. OBAMA, Mr. DOMENICI, Mrs. DOLE, and Ms. MURKOWSKI):

S. 2963. A bill to improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself, Mr. DORGAN, Mr. LEVIN, Mr. CASEY, and Mr. SANDERS):

S. 2964. A bill to require the United States Trade Representative to pursue a complaint of anticompetitive practices against certain oil exporting countries; to the Committee on Finance.

By Mrs. BOXER (for herself and Mr. LIEBERMAN):

S. 2965. A bill to require a report on the inclusion of severe and acute Post Traumatic Stress Disorder among the conditions covered by traumatic injury protection coverage under Servicemembers' Group Life Insurance; to the Committee on Veterans' Affairs.

By Mrs. DOLE:

S. 2966. A bill to require the Secretary of the Army to implement the First Sergeants Barracks Initiative (FSBI) throughout the Army in order to improve the quality of life and living environments for single soldiers; to the Committee on Armed Services.

By Mrs. FEINSTEIN (for herself, Mr. BENNETT, and Mr. REID):

S. 2967. A bill 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; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER:

S. 2968. A bill to provide emergency assistance for families receiving assistance under part A of title IV of the Social Security Act and low-income working families; to the Committee on Finance.

By Mr. AKAKA:

S. 2969. A bill to amend title 38, United States Code, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical healthcare professionals, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. HATCH (for himself, Mrs. CLINTON, Mr. COCHRAN, and Mr. SANDERS):

S. Res. 544. A resolution designating May 5 through 9, 2008, as National Substitute Teacher Recognition Week; considered and agreed to.

By Mr. PRYOR (for himself and Mrs. LINCOLN):

S. Res. 545. A resolution honoring the recipients of the El Dorado Promise scholarship; considered and agreed to.

By Mr. THUNE (for himself and Mr. WYDEN):

S. Res. 546. A resolution designating May 2008 as ''National Physical Fitness and Sports Month'' and the week of May 1 through May 7, as ''National Physical Education and Sports Week''; considered and agreed to.

By Mr. DURBIN (for himself, Mr. ISAKSON, Mr. KENNEDY, and Mr. OBAMA):

S. Res. 547. A resolution designating the week of May 4 through May 10, 2008, as ''North American Occupational Safety and Health Week'' and May 7, 2008, as ''Occupational Safety and Health Professionals Day''; considered and agreed to.

By Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Ms. MURKOWSKI, Ms. MIKULSKI, Mr. MCCAIN, Mrs. CLINTON, Ms. SNOWE, Mrs. MURRAY, Mr. WICKER, Mr. OBAMA, Mr. SMITH, Mr. BROWN, Mr. DURBIN, Mr. ROCKEFELLER, Mr. FEINGOLD, Mr. BAYH, Mr. CASEY, Mr. MENENDEZ, and Mr. LIEBERMAN):

S. Res. 548. A resolution recognizing the accomplishments of the members and alumni of AmeriCorps and the contributions of AmeriCorps to the lives of the people of the United States; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 717

At the request of Mr. AKAKA, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 717, a bill to repeal title II of the REAL ID Act of 2005, to restore section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, which provides States additional regulatory flexibility and funding authorization to more rapidly produce tamper- and counterfeit-resistant driver's licenses, and to protect privacy and civil liberties by providing interested stakeholders on a negotiated rulemaking with guidance to achieve improved 21st century licenses to improve national security.

S. 796

At the request of Mr. BUNNING, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 796, a bill to amend title VII of the Tariff Act of 1930 to provide that exchange-rate misalignment by any foreign nation is a countervailable export subsidy, to amend the Exchange Rates and International Economic Policy Coordination Act of 1988 to clarify the definition of manipulation with respect to currency, and for other purposes.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 1003

At the request of Ms. STABENOW, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1070

At the request of Mr. HATCH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1070, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 1415

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1415, a bill to amend the Public Health Service Act and the Social Security Act to improve screening and treatment of cancers, provide for survivorship services, and for other purposes.

S. 1661

At the request of Mr. DORGAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 2059

At the request of Mrs. CLINTON, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2067

At the request of Mr. MARTINEZ, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2067, a bill to amend the Federal Water Pollution Control Act relating to recreational vessels.

S. 2279

At the request of Mr. BIDEN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2279, a bill to combat international violence against women and girls.

S. 2314

At the request of Mr. SALAZAR, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2314, a bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes.

S. 2372

At the request of Mr. SMITH, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 2372, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear.

S. 2408

At the request of Mr. KERRY, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2408, a bill to amend title XVIII of the Social Security Act to require physician utilization of the Medicare electronic prescription drug program.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2561

At the request of Mr. REID, the name of the Senator from Maine (Ms. SNOWE)

was added as a cosponsor of S. 2561, a bill to require the Secretary of the Interior to conduct a theme study to identify sites and resources to commemorate and interpret the Cold War.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2598

At the request of Mr. DORGAN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2598, a bill to increase the supply and lower the cost of petroleum by temporarily suspending the acquisition of petroleum for the Strategic Petroleum Reserve.

S. 2618

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2672

At the request of Mr. CONRAD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2672, a bill to provide incentives to physicians to practice in rural and medically underserved communities.

S. 2702

At the request of Mr. SALAZAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of 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.

S. 2723

At the request of Mr. BROWN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2723, a bill to expand the dental workforce and improve dental access, prevention, and data reporting, and for other purposes.

S. 2772

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2772, a bill to amend title 10, United States Code, to provide for the investigation of suicides committed by members of the Armed Forces, and for other purposes.

S. 2778

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2778, a bill to amend title 37, United States Code, to expand certain bonus and special pay authorities for members of the Armed Forces in order to enhance the recruitment and retention of psychologists, social workers, mental health nurses, and other mental health professionals in the Armed Forces, and for other purposes.

S. 2782

At the request of Mr. SCHUMER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2782, a bill to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit on crude oil and transfer the proceeds of the tax to the Highway Trust Fund, and for other purposes.

S. 2818

At the request of Mr. ENZI, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Texas (Mrs. HUTCHISON) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2818, a bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide for enhanced health insurance marketplace pooling and relating market rating.

S. 2863

At the request of Mr. VITTER, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2863, a bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain stem cell research expenditures.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2874, a bill to amend titles 5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2880

At the request of Mr. GREGG, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 2880, a bill to provide that funds made available for reconstruction assistance for Iraq may be made available only to the extent that the Government of Iraq matches such assistance on a dollar-for-dollar basis, and for other purposes.

S. 2931

At the request of Ms. STABENOW, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2931, a bill to amend title XVIII of the Social Security Act to exempt complex rehabilitation products and assistive technology products from the Medicare competitive acquisition program.

S. 2938

At the request of Mr. THUNE, his name was added as a cosponsor of S. 2938, a bill to amend titles 10 and 38, United States Code, to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, and for other purposes.

S. 2942

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2942, a bill to authorize funding for the National Advocacy Center.

S.J. RES. 28

At the request of Mr. DORGAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S.J. Res. 28, a joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

S. RES. 483

At the request of Mr. BROWNBACK, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. Res. 483, a resolution recognizing the first weekend of May 2008 as ''Ten Commandments Weekend''.

S. RES. 543

At the request of Mr. THUNE, the names of the Senator from Utah (Mr. HATCH) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 543, a resolution designating the week beginning May 11, 2008, as ''National Nursing Home Week''.

AMENDMENT NO. 4580

At the request of Mr. WYDEN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of amendment No. 4580 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4586

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 4586 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4589

At the request of Mr. DORGAN, the names of the Senator from Florida (Mr.

NELSON) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of amendment No. 4589 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4615

At the request of Mr. DODD, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 4615 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4616

At the request of Mr. ENSIGN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of amendment No. 4616 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4618

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of amendment No. 4618 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

AMENDMENT NO. 4621

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 4621 intended to be proposed to H.R. 2881, a bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CRAIG (for himself, Mr. WARNER, and Mr. INHOFE):

S. 2953. A bill to provide for the development and inventory of certain outer Continental Shelf resources, to suspend petroleum acquisition for the Strategic Petroleum Reserve, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, during consideration of the reauthorization of the FAA, a great deal of conversation has gone on on this floor about energy and the cost of energy. It is appropriate that we talk about it at a time when our airlines are struggling and we are attempting to reauthorize FAA. Part of the reason our airlines are struggling is the unprecedented aviation fuel prices. It is only one of the many reasons they are having difficulty today, but clearly the doubling of their costs are putting at risk their corporate structure and their ability to serve an American public.

But it is not just the airlines that are at risk. Every American consumer and every business is finding the tremendous increase in the cost of energy a significant problem. For example, just a few minutes ago, my BlackBerry buzzed. My wife Suzanne is out in Boise, ID. I got an e-mail about the temperature, which is 31 degrees in Boise this morning. At the bottom of the e-mail, she said regular gas just hit $3.53 a gallon. That is a lot of money. Now, that is not as much as others are paying across our Nation, but when an Idahoan fills their tank and they go from community to community, oftentimes they drive hundreds of miles—not just a few miles but literally hundreds of miles. Idaho is a great big Western State. Our distance is oftentimes a significant part of our commerce and our ability to conduct economic activity, and fuel prices have always been significant and important.

Idaho is also a large agricultural State. The cost of the production of foods today has gone up dramatically because of the cost of diesel, if you will, the cost of fertilizer, and all of those components that go into the production of food and the transporting of the food.

Part of the reason food is going up on the retail shelf of the supermarket today is the cost of getting it there, let alone the cost of producing and refining it. Many truckers are saying that just to fill up their truck now can be as much as $1,000. They are not able to change their freight rates to adjust as quickly to the high cost of energy, and they simply have to—this is the term—''eat it.'' Well, they cannot afford to eat it. Oftentimes, those trucks are simply turning off their motors and sitting idle.

So the impact of energy costs on our economy can be dramatic. I came to the floor yesterday to talk about it and to say that, in large part, the American consumer, in their frustration, is saying: Whom do we blame? I don't think they have to look any further than the U.S. Congress and the failure of this Congress—the House and Senate—over the last 20 years to do the things that were necessary to continue production, to ensure refinery capacity, to ensure exploration and the development of reserves, while we were doing all of the other things in conservation, in CAFE standards, assuring that we had a new form of transportation energy. But, no, we have failed to do the right things, and as a result of that, the American consumer is, in fact, paying a great deal for our failure.

What do we do to change that? Instead of just wringing our hands, there are all kinds of ideas out there about changing it.

Some would suggest that you just tax the big oil companies; if you just tax those big oil companies and put that money somewhere else, that will solve the problem. There is an old adage in economics that is quite simple: You usually get less of that which you tax. In other words, the higher you tax something, the less you are going to get from it. Do you want to, by taxation, nationalize America's independent oil companies? Is that a way to get production and more oil and gas at the pump? Remember, there are not any gas lines out there today. There aren't the kinds of lines we saw in the 1970s during the last energy crisis. There is supply. It is the cost of supply that we are frustrated about and the impact that cost is having on our economy.

Here is one of the problems we have. I talked about a Congress that failed, a public policy that failed, a policy that failed to continue to produce as demand went dramatically up—not just in this country but around the world.

The blue line on this chart is the supply line. As you can see, in the 1990s it peaked and it began to drop. That is, of course, U.S. production versus U.S. consumption. In other words, as a nation we began to produce less and less crude oil into our refineries.

Today, we are near 60 percent dependent upon other sources of energy, from outside our country, to come into our refineries and to go out of the gas pump to the consumer. In fact, you can see that the red line—demand—has gone up dramatically as our economy continued to grow over the years, as more people were driving cars, and as more cars consumed more gas.

The only way you are going to keep price down is when the supply line and the demand line are somewhat in concert, somewhat tracking each other. That simply stopped in the 1950s, as we began to grow increasingly dependent upon foreign nations.

We passed the Energy Policy Act of 2005, but it wasn't really directed at transportation fuels. Last year, we added to that and we began to address transportation fuels. We brought ethanol into the market by subsidizing that and allowing our farmers, and those who take corn from them, to produce ethanol to become increasingly effective in the market. That is working to some degree. In fact, it is estimated today that 20 cents would be put on the price of gas at the pump if

it wasn't for national and rural ethanol production. Now, it has caused other problems. Some would argue that it has caused problems in the food chain, and it probably has. I think the marketplace will work that out. So there are things we have been doing.

But I think, most importantly, it is the things we have not done. It is the failure of our country to recognize the increased dependency we were developing from other countries around the world. I think that has become one of our greater frustrations. While you have some on the campaign trail today talking about taxing the big oil companies, the big oil companies don't own the oil. It is the cartels. It is the nations. It is not oil companies, it is oil countries that we have to worry about today.

I didn't coin the phrase, but I use the phrase quite often, ''petro-nationalism.'' If I am a country and I am small but I am sitting on a pool of oil, I become rich overnight. The reason I become rich overnight is because Americans will come and buy my oil. If I want to form a cartel and I want to control the supply of that oil, then they will pay even more for it because Americans quit producing for themselves.

Here is a statistic that I find fascinating, and some have said that if we don't stop this in the near future, we will spend our Nation into poverty as we spend all of this money on oil. We are now spending well over $1 billion a day outside our country to buy oil. That is a phenomenal figure. Our neighbors to the north, we send them $280 million a day; to Saudi Arabia, we send $190 million a day; to Venezuela and Dictator Chavez, we send $160 million; to Nigeria, we send $140 million; to Algeria, we send $70 million. Do Venezuela and Nigeria and Algeria have our best interests in mind? I don't believe so. They have their own interests in mind. We are literally making them wealthy because we are buying their oil.

Many of us talk about energy independence, and last year when we passed that legislation I was talking about, the Energy Independence and Security Act of 2007, we did some very good things in it. As I said, we looked at increasing production by conservation, by CAFE standards, and by renewable fuels standards. We said to the automobile industry: You have to design cars that burn less, and in doing that, we will improve our overall position on dependency by dropping it significantly by 2030. But it takes a long time to redesign a car, make it efficient, produce it, and then sell it into the market.

Those are the realities of a problem where you cannot just fix this tomorrow. We cannot just change the price of gas at the pump tomorrow because we cannot fix the underlying problems instantly. But as I said earlier, if Congress is at fault, the problem in this, then Congress ought to be doing more about it. And it is not just wringing your hands and wanting to tax. It is doing things that get us back into production while we learn to conserve, while we have cleaner automobiles, while we look at alternative fuel sources, while we get more hybrid cars and electric plug-in cars in the market. That is all coming, but that is 10 years, 15 years, and 20 years out.

What do we do in the interim? I believe there is something we can do, and we ought to do. In America today and in our territorial waters we are sitting still on a lot of oil, a dramatic amount of oil. Some would argue under old U.S. Geological Survey analysis that we are sitting on at least 100 billion barrels of oil. If we are sitting on it, why aren't we using it? Once again, the politics of Congress and the politics of States enter into the debate.

A couple of years ago, I began to talk about an issue I called the no zone. What was I talking about at the time? I was talking about that area of the United States and Outer Continental Shelf of waters that we knew had large volumes of oil. But California said no. We said no in Alaska. We have said no off the east coast. We have said no around Florida. Because we have said no, the American consumer today is paying the highest price for gasoline ever. That is a fact. It is a simple reality. Our dependency on foreign nations grew. As I just expressed, over 60 percent of our oil is coming from outside the continental United States when we know there is a significant amount of oil outside the continent.

When I introduced this chart a couple of years ago and I began to talk about the no zone and there were a few folks wringing their hands, we went to work. We went to work and we looked at oil sales in the gulf and the development in the Outer Continental Shelf in the deep waters of the Gulf of Mexico.

Thanks to our effort, we did something. The American consumer needs to know we went into lease sale 181 off the coast of Florida. We looked at and found a tremendous amount of capability there and we began to develop it and we are developing it today. We have allowed other lease sales to occur. That is tremendously important. We are beginning to tap some of that oil supply that we know is out there and about which we ought to be doing more. That is what I think is important, and that is on what I think we ought to be focused.

To sit and wring our hands and tell the American people there is nothing we can do, and all we are going to do is go out and tax and tax, which will not produce—we ought to be talking about production. The legislation I have introduced today talks about production. It talks about production in a positive way.

I mentioned a few moments ago the action we took last year in lease sale 181. We were successful in bringing Florida along in their cooperation and understanding, which was phenomenally important.

We know there are millions of barrels of oil and trillions of cubic feet of gas out there. What is most significant about oil development in this region is that the infrastructure is in place. What do I mean? Refineries, pipelines, capacity. We don't have to wait 5, 6, and 7 years just to build the infrastructure. It is there, and the oil is under it. That is why we did lease sale 181. But there is a lot more we can and should do. That is why the legislation I have introduced today does just that. It doesn't start drilling, but it says a couple of things that are quite simple.

As we have heard others talk about the fact we are putting money into the Strategic Petroleum Reserve at this time, we are buying oil off the market and putting it underground in the salt domes in the South for a time of necessity, I suggest we stop doing that for the time being, and I suggest we take that money we are using for those purposes and we modernize our inventory of our known reserves, our unknown reserves, and our capacity because the true SPR—SPR means Strategic Petroleum Reserve—the greatest reserve in the world is to know what we have, where it is, and how we can access it. That is one of the most important things we can do for the consumers of America today.

I know it frustrated some of my Floridian friends when I talked about our inability because of policy to allow our companies to go in to the northern area off Cuba and drill because Cuba was allowing other countries to come in and develop. Just 90 miles—45 miles until you hit the zone—90 miles off our coast on the extreme of the Florida Keys there are foreign nations drilling oil today. India is there, and India has now discovered oil. China is there, and China has now discovered oil. We are not there today because our policy is 45 years old and still says: No, no, Americans cannot get involved with Cuba, even though we believe Cuba has phenomenal potential oil reserves. Shame on us.

America, listen up: It is Government policy today in large part that has caused you the pain at the pump, and it is very important that Government act today to reduce that pain.

The legislation I am offering would create an inventory that would do just that. It would allow us to know what our reserves are.

We have moratoriums off the coast of Florida, and yet we know there are huge oil reserves out there. Why are we not doing something about it? Well, it is local politics. It is national politics. It is green politics. It is politics. That is why we have the price of oil we have today, nothing more and nothing less but politics, and our economy is growing more fragile by the moment because of it.

Is it demagogic to say that? I don't think so. I don't think so at all. I pulled out the sign, the no zone. The no is a result of politics, whether it is the politics of the State of Florida or the

politics of the State of California or whether it is the national politics of this Senate that will not allow for us to drill for the reserves in what is known as ANWR, the Alaskan national wildlife area, where we know there is phenomenal abundance.

It was all done, all of this no, this political no was all done in the name of the environment. There was some reason at the time these old ideas were put in place. We had the oil spills off the coast of Santa Barbara, and as a result of that, Americans were concerned. So California said no more drilling there, and then we followed up.

A few years ago, we had a great national tragedy in the gulf area of our country. That tragedy was called Katrina. She came rolling up and through the gulf. We know what she did in New Orleans. She did something else nobody wants to talk about today. She knocked offline hundreds of oil wells that were producing out in the gulf—knocked them off. She even set some of the drilling rigs adrift. But not a drop of oil was spilled. Why? Because modern technology today and American know-how and a concern for protecting our environment has produced one of the cleanest deepwater oil drilling industries in the world. We are producing in this area of the gulf off the coast of Texas, off the coast of Louisiana, off the coast of Mississippi, and with 181, we just brought into or soon will be bringing into production off the coast of Alabama. Why not off the coast of Florida? Why not off the coast of California? Why not off the coast of the Carolinas, Virginia, and on up where we believe there is significant gas and oil reserves?

It is old politics of the past that is caught in the ghosts of Santa Barbara of decades ago. Yet our technology today will take us there, but our politics will not take us there. That is why I have introduced the legislation I have. The least we can do is inventory with modern technology to know where our oil is.

I notice the president of Shell said in a press release the other day: If Americans sent a message to the world that we were going to start drilling our own reserves and bringing them into production, the price of gas at the pump would drop dramatically, 25 or 30 cents a gallon or more. That is significant stuff, both short term and long term, to the economy of this country.

I say to my colleagues, I say to our country, and I say to our consumers: Is it a time to act? You bet it is a time to act. While some suggest we tax the big boys out of existence, we do not produce anything by doing that, while we can create all kinds of other structures. Do we produce more, do we build refinery capacity, and do we assure the American public while we are transitioning into hybrid cars and electric cars and hydrogen cars and all of those kinds of activities that we support and are doing research and development on today that they will still have an abundant supply of energy? That is our job. That is the job we failed in doing over the last good number of years, and that is the job we ought to stop and start over and do it right and reward the States that are the boundary States to the production of the Outer Continental Shelf.

We have huge oil reserves in this country, and yet we are letting the rest of the world have our wealth. Why not keep our wealth in this country by the development of these reserves?

The first step is the legislation I have introduced today. Let's at least in the next few years do the inventory, the modern, sophisticated seismographic inventory that USGS can do to let us know how much is out there because what we know today is simply old stuff. Those efforts were done years ago. Already out at the edge of this green line in the deepest waters in the gulf under the newest drilling technologies, we are finding phenomenal oil that just a few years ago we did not even know we could get to. We are getting to it. We are producing it. It is clean, and it is environmentally sound. We ought to be doing that everywhere else.

I have joined my colleague from Louisiana who just came to the floor, who introduced legislation that says when oil gets to $125 a barrel, we ought to give the States the option to allow the development of the Outer Continental Shelf off their State. You darn bet we ought to, and those States ought to be rewarded for it.

There is so much this country can continue to do instead of standing still and wringing our hands and trying to blame somebody else for our failure over the last 20 years to continue to allow this great country to produce for its consumers.

Mr. WARNER. Mr. President, will the Senator yield for 10 seconds?

Mr. CRAIG. I will be happy to yield to the senior Senator from Virginia.

Mr. WARNER. Mr. President, I commend him for this initiative, but I hope he says ''oil and gas'' because off the east coast there is an abundance of gas, as shown by the previous studies. As he says, they have to be brought up to date. Do let us invoke gas because along the beaches—and I, as the Senator knows, twice tried to get legislation through, and a collection of Senators—and I say this in a lighthearted way; I call them the beach boys—will not permit this for fear that pollution could emanate from the drilling process onto their beaches.

I suggest let's start with gas. There would not be any potential for the erosion of beaches as a consequence of an accidental spill. I do hope the Senator puts in the word ''gas.''

Mr. CRAIG. Mr. President, I thank the senior Senator from Virginia. He is absolutely right. When I think oil, I think gas because, obviously, in lease sale 181 and in other areas where there is gas, there is oftentimes oil, and oftentimes where there is gas, there is no oil. We believe that to be the case off the coast of Virginia.

The Senator from Virginia has been a leader, without doubt, in that very kind of effort to allow at least the seismographic effort, the exploration that would determine for us the kinds of reserves we have and may have for the future.

I thank the Senator from Virginia for his leadership in this area.

Mr. WARNER. Mr. President, I thank my good friend from Idaho. I also emphasize that the technology to do it safely and not be the victim of a disruption by Mother Nature is there.

Mr. CRAIG. Without question it is there today, and we know that. We are the leaders of clean drilling in deep water for the world, no question.

Mr. WARNER. I thank the Senator. I wish him well. He has my support.

Mr. NELSON of Florida. Mr. President, will the Senator further yield?

Mr. CRAIG. I will be happy to yield to the Senator from Florida.

Mr. NELSON of Florida. Would the Senator mind putting up his map with the State of Florida on it?

Mr. CRAIG. I am more than happy to.

Mr. NELSON of Florida. Would the Senator recognize that the area in yellow there on the west coast of Florida that he indicates for future drilling—would he recognize almost that entire area is the largest testing and training area for the U.S. military in the world? The military is on record at all levels, of all generals and admirals, that drilling should not be done in that area to compromise our training and testing mission for the U.S. military.

Mr. CRAIG. I do recognize that. I do appreciate what our military has said.

I also understand a few years ago we took offline a naval training area in Vieques. Why? It was no longer a popular thing to do.

If there is oil under this area—and we believe there is—and it is a training area, why couldn't we train here? Or why couldn't we train over here? The reality is, what is at this time more valuable?

It is very easy to say don't do it. Or is it possible to say can we do both? There are a good many experts and professionals in the field who said that. We can have a military training area, and guess what we also can do. We can pull the oil out from under. How do you do it? Quite simply. You put a location, a location and you slant drill thousands of feet and you do not have to pepper the area with all kinds of drilling rigs.

Today's technology is amazing. It is politically comfortable, I appreciate that, and I understand the State's politics and I do not deny that—but this is not the oil of the State of Florida. This is the oil of the citizens of our country. It is the politics of Florida today that deny us the oil, not the politics of America. So it is a simple question: Should we inventory it? Should we know what it is? And should we, under modern technology, reward the State of Florida for the potential benefit?

It is ironic we did not move at all to stop drilling 45 miles off the Florida coast. We could even take a 45-mile zone here, or more, consistent with what is going on in Florida today and still protect this.

But the Senator is right. It is a military area. Guess what. I am kind of a modern guy. I believe in technology taking us where we can go and having the best of both worlds. But right now the American consumer has the worst of the world we have created for them—a scarcity of a supply that is driving costs and impacting our economy in a significant way.

I suggest the legislation I have introduced, while it will not impact the State of Florida, will give us a base and an understanding and knowledge of what we have as a reserve. We are spending millions of dollars a day to buy oil and put it in the ground when, in fact, we ought to spend a few million dollars and find out about all the oil we already have.

By Mr. LEVIN (for himself, Mr. COLEMAN, and Mr. OBAMA):

S. 2956. A bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent wrongdoers from exploiting United States corporations for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LEVIN. Mr. President, I am introducing today, with my colleagues Senator COLEMAN and Senator OBAMA, the Incorporation Transparency and Law Enforcement Assistance Act. This bill tackles a longstanding homeland security problem involving inadequate State incorporation practices that leave this country unnecessarily vulnerable to terrorists, criminals, and other wrongdoers, hinder law enforcement, and damage the international stature of the U.S.

The problem is straightforward. Each year, the States allow persons to form nearly 2 million corporations and limited liability companies in this country without knowing—or even asking—who the beneficial owners are behind those corporations. Right now, a person forming a U.S. corporation or limited liability company, LLC, provides less information to the State than is required to open a bank account or obtain a driver's license. Instead, States routinely permit persons to form corporations and LLCs under State laws without disclosing the names of any of the people who will control or benefit from them.

It is a fact that criminals are exploiting this weakness in our State incorporation practices. They are forming new U.S. corporations and LLCs, and using these entities to commit crimes ranging from terrorism to drug trafficking, money laundering, tax evasion, financial fraud, and corruption. Law enforcement authorities investigating these crimes have complained loudly for years about the lack of beneficial ownership information.

Last year, for example, the U.S. Department of the Treasury sent a letter to the States stating: ''the lack of transparency with respect to the individuals who control privately held for-profit legal entities created in the U.S. continues to represent a substantial vulnerability in the U.S. anti-money laundering/counter terrorist financing, AML/CFT, regime. . . . [T]he use of U.S. companies to mask the identity of criminals presents an ongoing and substantial problem . . . for U.S. and global law enforcement authorities.''

Last month, Secretary Michael Chertoff, head of the U.S. Department of Homeland Security, wrote the following: ''In countless investigations, where the criminal targets utilize shell corporations, the lack of law enforcement's ability to gain access to true beneficial ownership information slows, confuses or impedes the efforts by investigators to follow criminal proceeds. This is the case in financial fraud, terrorist financing and money laundering investigations. . . . It is imperative that States maintain beneficial ownership information while the company is active and to have a set time frame for preserving those records. . . . Shell companies can be sold and resold to several beneficial owners in the course of a year or less. . . . By maintaining records not only of the initial beneficial ownership but of the subsequent beneficial owners, States will provide law enforcement the tools necessary to clearly identify the individuals who utilized the company at any given period of time.''

These types of complaints by U.S. law enforcement, their pleas for assistance, and their warnings about the dangers of anonymous U.S. corporations operating here and abroad are catalogued in a stack of reports and hearing testimony from the Department of Justice, the Department of Homeland Security, the Financial Crimes Enforcement Network of the Department of the Treasury, the Internal Revenue Service, and others.

To add insult to injury, our law enforcement officials have too often had to stand silent when asked by their counterparts in other countries for information about who owns a U.S. corporation committing crimes in their jurisdictions. The reality is that the United States is as bad as any offshore jurisdiction when it comes to responding to those requests—we can't answer them because we don't have the information.

In 2006, the leading international anti-money laundering body in the world, the Financial Action Task Force on Money Laundering—known as FATF—issued a report criticizing the U.S. for its failure to comply with a FATF standard requiring countries to obtain beneficial ownership information for the corporations formed under their laws. This standard is one of 40 FATF standards that this country has publicly committed itself to implementing as part of its efforts to promote strong anti-money laundering laws around the world.

FATF gave the U.S. 2 years, until July 2008, to make progress toward coming into compliance with the FATF standard on beneficial ownership information. That deadline is right around the comer, but we have yet to make any real progress. That is another reason why we are introducing this bill today. Enacting the bill would bring the U.S. into compliance with the FATF standard by requiring the States to obtain beneficial ownership information for the corporations formed under their laws. It would ensure that the U.S. met its international commitment to comply with FATF anti-money laundering standards.

The bill being introduced today is the product of years of work by the U.S. Senate Permanent Subcommittee on Investigations, on which I, Senator COLEMAN, and Senator OBAMA serve together. As long ago as 2000, the Government Accountability Office, GAO, at my request, conducted an investigation and released a report entitled, Suspicious Banking Activities: Possible Money Laundering by U.S. Corporations Formed for Russian Entities. This report revealed that one person was able to set up more than 2,000 Delaware shell corporations and, without disclosing the identity of the beneficial owners, open U.S. bank accounts for those corporations, which then collectively moved about $1.4 billion through the accounts. It is one of the earliest Government reports to give some sense of the law enforcement problems caused by U.S. corporations with unknown owners. It sounded the alarm sounded 8 years ago, but to little effect.

In April 2006, in response to a Levin-Coleman request, GAO released a report entitled, Company Formations: Minimal Ownership Information Is Collected and Available, which reviewed the corporate formation laws in all 50 States. GAO disclosed that the vast majority of the States don't collect any information at all on the beneficial owners of the corporations and LLCs formed under their laws. The report also found that many States have established automated procedures that allow a person to form a new corporation or LLC within the State within 24 hours of filing an online application without any prior review of that application by a State official. In exchange for a substantial fee, two States will even form a corporation or LLC within one hour of a request. After examining these State incorporation practices, the GAO report described the problems that the lack of beneficial ownership information has caused for a range of law enforcement investigations.

In November 2006, our Subcommittee held a hearing further exploring this

issue. At that hearing, representatives of the U.S. Department of Justice, DOJ, the Internal Revenue Service, and the Department of Treasury's Financial Crimes Enforcement Network, FinCEN, testified that the failure of States to collect adequate information on the beneficial owners of the legal entities they form has impeded Federal efforts to investigate and prosecute criminal acts such as terrorism, money laundering, securities fraud, and tax evasion. At the hearing, DOJ testified: ''We had allegations of corrupt foreign officials using these [U.S.] shell accounts to launder money, but were unable—due to lack of identifying information in the corporate records—to fully investigate this area.'' The IRS testified: ''Within our own borders, the laws of some states regarding the formation of legal entities have significant transparency gaps which may even rival the secrecy afforded in the most attractive tax havens.'' FinCEN identified 768 incidents of suspicious international wire transfer activity involving U.S. shell companies.

In addition, last year, when listing the ''Dirty Dozen'' tax scams for 2007, the IRS highlighted shell companies with unknown owners as number four on the list, as follows:

''4. Disguised Corporate Ownership: Domestic shell corporations and other entities are being formed and operated in certain states for the purpose of disguising the ownership of the business or financial activity. Once formed, these anonymous entities can be, and are being, used to facilitate underreporting of income, non-filing of tax returns, listed transactions, money laundering, financial crimes and possibly terrorist financing. The IRS is working with state authorities to identify these entities and to bring their owners into compliance.''

That is not all. Dozens of Internet websites advertising corporate formation services highlight the fact that some of our States allow corporations to be formed under their laws without asking for the identity of the beneficial owners. These websites explicitly point to anonymous ownership as a reason to incorporate within the U.S., and often list certain States alongside notorious offshore jurisdictions as preferred locations for the formation of new corporations, essentially providing an open invitation for wrongdoers to form entities within the U.S.

One website, for example, set up by an international incorporation firm, advocates setting up companies in Delaware by saying: ''DELAWARE—An Offshore Tax Haven for Non US Residents.'' It cites as one of Delaware's advantages that: ''Owners' names are not disclosed to the state.'' Another website, from a U.K. firm called ''formacompany-offshore.com,'' lists the advantages to incorporating in Nevada. Those advantages include: ''No I.R.S. Information Sharing Agreement'' and ''Stockholders are not on Public Record allowing complete anonymity.''

Despite this type of advertising, years of law enforcement complaints, and mounting evidence of abuse, many of our States are reluctant to admit there is a problem with establishing U.S. corporations and LLCs with unknown owners. Too many of our States are eager to explain how quick and easy it is to set up corporations within their borders, without acknowledging that those same quick and easy procedures enable wrongdoers to utilize U.S. corporations in a variety of crimes and tax dodges both here and abroad.

Since 2006, the Subcommittee has worked with the States to encourage them to recognize the homeland security problem they've created and to come up with their own solution. After the Subcommittee's hearing on this issue, for example, the National Association of Secretaries of State, NASS, convened a 2007 task force to examine State incorporation practices. At the request of NASS and several States, I delayed introducing legislation while they worked on a proposal to require the collection of beneficial ownership information. My Subcommittee staff participated in multiple conferences, telephone calls, and meetings; suggested key principles; and provided comments to the Task Force.

In July 2007, the NASS task force issued a proposal. Rather than cure the problem, however, the proposal was full of deficiencies, leading the Treasury Department to state in a letter that the NASS proposal ''falls short'' and ''does not fully address the problem of legal entities masking the identity of criminals.''

Among other shortcomings, the NASS proposal does not require States to obtain the names of the natural individuals who would be the beneficial owners of a U.S. corporation or LLC. Instead, it would allow States to obtain a list of a company's ''owners of record'' who can be, and often are, offshore corporations or trusts. The NASS proposal also doesn't require the States themselves to maintain the beneficial ownership information, or to supply it to law enforcement upon receipt of a subpoena or summons. The proposal also fails to require the beneficial ownership information to be updated over time. These and other flaws in the proposal have been identified by the Treasury Department, the Department of Justice, myself, and others, but NASS has given no indication that the flaws will be corrected.

It is deeply disappointing that the States, despite the passage of more than one year, have been unable to devise an effective proposal. Part of the difficulty is that the States have a wide range of practices, differ on the extent to which they rely on incorporation fees as a major source of revenue, and differ on the extent to which they attract non-U.S. persons as incorporators. In addition, the States are competing against each other to attract persons who want to set up U.S. corporations, and that competition creates pressure for each individual State to favor procedures that allow quick and easy incorporations. It is a classic case of competition causing a race to the bottom, making it difficult for any one State to do the right thing and request the names of the beneficial owners.

That is why we are introducing Federal legislation today. Federal legislation is needed to level the playing field among the States, set minimum standards for obtaining beneficial ownership information, put an end to the practice of States forming millions of legal entities each year without knowing who is behind them, and bring the U.S. into compliance with its international commitments.

The bill's provisions would require the States to obtain a list of the beneficial owners of each corporation or LLC formed under their laws, to maintain this information for 5 years after the corporation is terminated, and to provide the information to law enforcement upon receipt of a subpoena or summons. If enacted, this bill would ensure, for the first time, that law enforcement seeking beneficial ownership information from a State about one of its corporations or LLCs would not be turned away empty-handed.

The bill would also require corporations and LLCs to update their beneficial ownership information in an annual filing with the State of incorporation. If a State did not require an annual filing, the information would have to be updated each time the beneficial ownership changed.

In the special case of U.S. corporations formed by non-U.S. persons, the bill would go farther. Following the lead of the Patriot Act which imposed additional due diligence requirements on certain financial accounts opened by non-U.S. persons, our bill would require additional due diligence for corporations beneficially owned by non-U.S. persons. This added due diligence would have to be performed—not by the States—but by the persons seeking to establish the corporations. These incorporators would have to file with the State a written certification from a corporate formation agent residing within the State attesting to the fact that the agent had verified the identity of the non-U.S. beneficial owners of the corporation by obtaining their names, addresses, and passport photographs. The formation agent would be required to retain this information for a specified period of time and produce it upon request.

The bill would not require the States to verify the ownership information provided to them by a formation agent, corporation, LLC, or other person filing an incorporation application. Instead, the bill would establish Federal civil and criminal penalties for anyone who knowingly provided a State with false beneficial ownership information or intentionally failed to provide the State with the information requested.

The bill would also exempt certain corporations from the disclosure obligation. For example, it would exempt

all publicly-traded corporations and the entities they form, since these corporations are already overseen by the Security and Exchange Commission SEC. It would also allow the States, with the written concurrence of the Homeland Security Secretary and the U.S. Attorney General, to identify certain corporations, either individually or as a class, that would not have to list their beneficial owners, if requiring such ownership information would not serve the public interest or assist law enforcement in their investigations. These exemptions are expected to be narrowly drafted and rarely granted, but are intended to provide the States and Federal law enforcement added flexibility to fine-tune the disclosure obligation and focus it where it is most needed to stop crime, tax evasion, and other wrongdoing.

Another area of flexibility in the bill involves privacy issues. The bill deliberately does not take a position on the issue of whether the States should make the beneficial ownership information they receive available to the public. Instead, the bill leaves it entirely up to the States to decide whether and under what circumstances to make beneficial ownership information available to the public. The bill explicitly permits the States to place restrictions on providing beneficial ownership information to persons other than government officials. The bill focuses instead only on ensuring that law enforcement and Congress, when equipped with a subpoena or summons, are given ready access to the beneficial ownership information collected by the States.

To ensure that the States have the funds needed to meet the new beneficial ownership information requirements, the bill makes it clear that States can use their DHS State grant funds for this purpose. Every State is guaranteed a minimum amount of DHS grant funds every year and may receive funds substantially above that minimum. Every State will be able to use all or a portion of these funds to modify their incorporation practices to meet the requirements in the Act. The bill also authorizes DHS to use appropriated funds to carry out its responsibilities under the Act. These provisions will ensure that the States have the funds needed for the modest compliance costs involved with amending their incorporation forms to request the names of beneficial owners.

It is common for bills establishing Federal standards to seek to ensure State action by making some Federal funding dependent upon a State's meeting the specified standards. This bill, however, states explicitly that nothing in the bill authorizes DHS to withhold funds from a State for failing to modify its incorporation practices to meet the beneficial ownership information requirements in the Act. Instead, the bill simply calls for a GAO report in 2012 to identify which States, if any, have failed to strengthen their incorporation practices as required by the Act. After getting this status report, a future Congress can decide what steps to take, including whether to reduce any DHS funding going to the noncompliant States.

Finally, the bill would require the U.S. Department of the Treasury to issue a rule requiring formation agents to establish anti-money laundering programs to ensure they are not forming U.S. corporations or LLCs for criminals or other wrongdoers. GAO would also be asked to conduct a study of existing State formation procedures for partnerships and trusts.

We have worked hard to craft a bill that would address, in a fair and reasonable way, the homeland security problem created by States allowing the formation of millions of U.S. corporations and LLCs with unknown owners. What the bill comes down to is a simple requirement that States change their incorporation applications to add a question requesting the names and addresses of the prospective beneficial owners. That is not too much to ask to protect this country and the international community from U.S. corporations engaged in wrongdoing and to help law enforcement track down the wrongdoers.

For those who say that, if the United States tightens its incorporation rules, new companies will be formed elsewhere, it is appropriate to ask exactly where they will go? Every country in the European Union is already required to get beneficial information for the corporations formed under their laws. Most offshore jurisdictions already request this information as well, including the Bahamas, Cayman Islands, Jersey, and the Island of Man. Our States should be asking for the same ownership information, but they don't, and there is no indication that they will any time in the near future, unless required to do so.

I wish Federal legislation weren't necessary. I wish the States could solve this homeland security problem on their own, but ongoing competitive pressures make it unlikely that the States will reach agreement. We have waited more than a year already with no real progress to show for it, despite repeated pleas from law enforcement.

Federal legislation is necessary to reduce the vulnerability of the United States to wrongdoing by U.S. corporations with unknown owners, to protect interstate and international commerce from criminals misusing U.S. corporations, to strengthen the ability of law enforcement to investigate suspect U.S. corporations, to level the playing field among the States, and to bring the U.S. into compliance with its international anti-money laundering obligations.

There is also an issue of consistency. For years, I have been fighting offshore corporate secrecy laws and practices that enable wrongdoers to secretly control offshore corporations involved in money laundering, tax evasion, and other misconduct. I have pointed out on more than one occasion that corporations were not created to hide ownership, but to shield owners from personal liability for corporate acts. Unfortunately, today, the corporate form has too often been corrupted into serving those wishing to conceal their identities and commit crimes or dodge taxes without alerting authorities. It is past time to stop this misuse of the corporate form. But if we want to stop inappropriate corporate secrecy offshore, we need to stop it here at home as well.

For these reasons, I urge my colleagues to support this legislation and put an end to incorporation practices that promote corporate secrecy and render the United States and other countries vulnerable to abuse by U.S. corporations with unknown owners.

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

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

S. 2956

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 ''Incorporation Transparency and Law Enforcement Assistance Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States obtain meaningful information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information to the State of incorporation than is needed to obtain a bank account or driver's license and typically does not name a single beneficial owner.

(4) Criminals have exploited the weaknesses in State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, drug trafficking, money laundering, tax evasion, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Financial Crimes Enforcement Network of the Department of the Treasury, the Internal Revenue Service, and the Government Accountability Office, and others.

(6) In July 2006, a leading international anti-money laundering organization, the Financial Action Task Force on Money Laundering (in this section referred to as the ''FATF''), of which the United States is a member, issued a report that criticizes the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the

United States to correct this deficiency by July 2008.

(7) In response to the FATF report, the United States has repeatedly urged the States to strengthen their incorporation practices by obtaining beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) Many States have established automated procedures that allow a person to form a new corporation or limited liability company within the State within 24 hours of filing an online application, without any prior review of the application by a State official. In exchange for a substantial fee, 2 States will form a corporation within 1 hour of a request.

(9) Dozens of Internet websites highlight the anonymity of beneficial owners allowed under the incorporation practices of some States, point to those practices as a reason to incorporate in those States, and list those States together with offshore jurisdictions as preferred locations for the formation of new corporations, essentially providing an open invitation to criminals and other wrongdoers to form entities within the United States.

(10) In contrast to practices in the United States, all countries in the European Union are required to identify the beneficial owners of the corporations they form.

(11) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with unknown owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to strengthen law enforcement investigations of suspect corporations and limited liability companies, to set minimum standards for and level the playing field among State incorporation practices, and to bring the United States into compliance with its international anti-money laundering obligations, Federal legislation is needed to require the States to obtain beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 3. TRANSPARENT INCORPORATION PRACTICES.

(a) TRANSPARENT INCORPORATION PRACTICES.—

(1) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following:

"SEC. 2009. TRANSPARENT INCORPORATION PRACTICES.

''(a) INCORPORATION SYSTEMS.—

''(1) IN GENERAL.—To protect the security of the United States, each State that receives funding from the Department under section 2004 shall, not later than the beginning of fiscal year 2011, use an incorporation system that meets the following requirements:

''(A) Each applicant to form a corporation or limited liability company under the laws of the State is required to provide to the State during the formation process a list of the beneficial owners of the corporation or limited liability company that—

''(i) identifies each beneficial owner by name and current address; and

''(ii) if any beneficial owner exercises control over the corporation or limited liability company through another legal entity, such as a corporation, partnership, or trust, identifies each such legal entity and each such beneficial owner who will use that entity to exercise control over the corporation or limited liability company.

''(B) Each corporation or limited liability company formed under the laws of the State is required by the State to update the list of the beneficial owners of the corporation or limited liability company by providing the information described in subparagraph (A)—

''(i) in an annual filing with the State; or

''(ii) if no annual filing is required under the law of that State, each time a change is made in the beneficial ownership of the corporation or limited liability company.

''(C) Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State is required to be maintained by the State until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

''(D) Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State shall be provided by the State upon receipt of—

''(i) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information; or

''(ii) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or section 1782 of title 28, United States Code.

''(2) NON-UNITED STATES BENEFICIAL OWNERS.—To further protect the security of the United States, each State that accepts funding from the Department under section 2004 shall, not later than the beginning of fiscal year 2011, require that, if any beneficial owner of a corporation or limited liability company formed under the laws of the State is not a United States citizen or a lawful permanent resident of the United States, each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a written certification by a formation agent residing in the State that the formation agent—

''(A) has verified the name, address, and identity of each beneficial owner that is not a United States citizen or a lawful permanent resident of the United States;

''(B) has obtained for each beneficial owner that is not a United States citizen or a lawful permanent resident of the United States a copy of the page of the government-issued passport on which a photograph of the beneficial owner appears;

''(C) will provide proof of the verification described in subparagraph (A) and the photograph described in subparagraph (B) upon request; and

''(D) will retain information and documents relating to the verification described in subparagraph (A) and the photograph described in subparagraph (B) until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates, under the laws of the State.

''(b) PENALTIES FOR FALSE BENEFICIAL OWNERSHIP INFORMATION.—In addition to any civil or criminal penalty that may be imposed by a State, any person who affects interstate or foreign commerce by knowingly providing, or attempting to provide, false beneficial ownership information to a State, by intentionally failing to provide beneficial ownership information to a State upon request, or by intentionally failing to provide updated beneficial ownership information to a State—

''(1) shall be liable to the United States for a civil penalty of not more than $10,000; and

''(2) may be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

''(c) FUNDING AUTHORIZATION.—To carry out this section—

''(1) a State may use all or a portion of the funds made available to the State under section 2004; and

''(2) the Administrator may use funds appropriated to carry out this title, including unobligated or reprogrammed funds, to enable a State to obtain and manage beneficial ownership information for the corporations and limited liability companies formed under the laws of the State, including by funding measures to assess, plan, develop, test, or implement relevant policies, procedures, or system modifications.

''(d) STATE COMPLIANCE REPORT.—Nothing in this section authorizes the Administrator to withhold from a State any funding otherwise available to the State under section 2004 because of a failure by that State to comply with this section. Not later than June 1, 2012, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report identifying which States are in compliance with this section and, for any State not in compliance, what measures must be taken by that State to achieve compliance with this section.

''(e) DEFINITIONS.—In this section:

''(1) BENEFICIAL OWNER.—The term 'beneficial owner' means an individual who has a level of control over, or entitlement to, the funds or assets of a corporation or limited liability company that, as a practical matter, enables the individual, directly or indirectly, to control, manage, or direct the corporation or limited liability company.

''(2) CORPORATION; LIMITED LIABILITY COMPANY.—The terms 'corporation' and 'limited liability company'—

''(A) have the meanings given such terms under the laws of the applicable State;

''(B) do not include any business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d)), or any corporation or limited liability company formed by such a business concern;

''(C) do not include any business concern formed by a State, a political subdivision of a State, under an interstate compact between 2 or more States, by a department or agency of the United States, or under the laws of the United States; and

''(D) do not include any individual business concern or class of business concerns which a State, after obtaining the written concurrence of the Administrator and the Attorney General of the United States, has determined in writing should be exempt from the requirements of subsection (a), because requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

''(3) FORMATION AGENT.—The term 'formation agent' means a person who, for compensation, acts on behalf of another person to assist in the formation of a corporation or limited liability company under the laws of a State.''.

(2) TABLE OF CONTENTS.—The table of contents in section 1 of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 2008 the following:

''Sec. 2009. Transparent incorporation practices.''.

(b) EFFECT ON STATE LAW.—

(1) IN GENERAL.—This Act and the amendments made by this Act do not supersede, alter, or affect any statute, regulation,

order, or interpretation in effect in any State, except where a State has elected to receive funding from the Department of Homeland Security under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605), and then only to the extent that such State statute, regulation, order, or interpretation is inconsistent with this Act or an amendment made by this Act.

(2) NOT INCONSISTENT.—A State statute, regulation, order, or interpretation is not inconsistent with this Act or an amendment made by this Act if such statute, regulation, order, or interpretation—

(A) requires additional information, more frequently updated information, or additional measures to verify information related to a corporation, limited liability company, or beneficial owner, than is specified under this Act or an amendment made by this Act; or

(B) imposes additional limits on public access to the beneficial ownership information obtained by the State than is specified under this Act or an amendment made by this Act.

SEC. 4. ANTI-MONEY LAUNDERING OBLIGATIONS OF FORMATION AGENTS.

(a) ANTI-MONEY LAUNDERING OBLIGATIONS OF FORMATION AGENTS.—Section 5312(a)(2) of title 31, United States Code, is amended—

(1) in subparagraph (Y), by striking ''or'' at the end;

(2) by redesignating subparagraph (Z) as subparagraph (AA); and

(3) by inserting after subparagraph (Y) the following:

''(Z) any person involved in forming a corporation, limited liability company, partnership, trust, or other legal entity; or''.

(b) DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR FORMATION AGENTS.—

(1) PROPOSED RULE.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General of the United States, the Secretary of Homeland Security, and the Commissioner of the Internal Revenue Service, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as amended by this section, to establish anti-money laundering programs under subsection (h) of section 5318 of that title.

(2) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury shall publish the rule described in this subsection in final form in the Federal Register.

SEC. 5. STUDY AND REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report—

(1) identifying each State that has procedures that enable persons to form or register under the laws of the State partnerships, trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State to provide information about the beneficial owners (as that term is defined in section 2009 of the Homeland Security Act of 2002, as added by this Act) or beneficiaries of such entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct; and

(B) has impeded investigations into entities suspected of such misconduct; and

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism and what steps, if any, the United States has taken or is planning to take in response.

SUMMARY OF INCORPORATION TRANSPARENCY AND LAW ENFORCEMENT ASSISTANCE ACT, MAY 1, 2008

To protect the United States from U.S. corporations being misused to commit terrorism, money laundering, tax evasion, or other misconduct, the Incorporation Transparency and Law Enforcement Assistance Act would:

Beneficial Ownership Information. Require the States to obtain a list of the beneficial owners of each corporation or limited liability company (LLC) formed under their laws, ensure this information is updated annually, and provide the information to civil or criminal law enforcement upon receipt of a subpoena or summons.

Non-U.S. Beneficial Owners. Require corporations and LLCs with non-U.S. beneficial owners to provide a certification from an in-State formation agent that the agent has verified the identity of those owners.

Penalties for False Information. Establish civil and criminal penalties under federal law for persons who knowingly provide false beneficial ownership information or intentionally fail to provide required beneficial ownership information to a State.

Exemptions. Provide exemptions for certain corporations, including publicly traded corporations and the corporations and LLCs they form, since the Securities and Exchange Commission already oversees them; and corporations which a State has determined, with concurrence from the Homeland Security and Justice Departments, should be exempt because requiring beneficial ownership information from them would not serve the public interest or assist law enforcement.

Funding. Authorize States to use an existing DHS grant program, and authorize DHS to use already appropriated funds, to meet the requirements of this Act.

State Compliance Report. Clarify that nothing in the Act authorizes DHS to withhold funds from a State for failing to comply with the beneficial ownership requirements. Require a GAO report by 2012 identifying which States are not in compliance so that a future Congress can determine at that time what steps to take.

Transition Period. Give the States until October 2011 to require beneficial ownership information for the corporations and LLCs formed under their laws.

Anti-Money Laundering Rule. Require the Treasury Secretary to issue a rule requiring formation agents to establish anti-money laundering programs to ensure they are not forming U.S. corporations or other entities for criminals or other suspect persons.

GAO Study. Require GAO to complete a study of State beneficial ownership information requirements for in-state partnerships and trusts.

By Mr. LIEBERMAN:

S. 2957. A bill to modernize credit union net worth standards, advance credit union efforts to promote economic growth, and modify credit union regularity standards and reduce burdens, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. LIEBERMAN. Mr. President today more than ever, credit unions are a critical component of our nation's financial landscape. At a time when most financial institutions are retreating from the credit markets, credit unions are among the few lenders in the financial industry demonstrating resiliency and strength. For example, while many mortgage lenders are struggling to stay afloat, the delinquency rate on mortgages issued by credit unions is less than one percent, and credit unions are still lending. Nonetheless, certain outdated regulatory rules impede the ability of credit unions to effectively carry out their role as savings and lending institutions for local communities and small businesses. Because I believe that credit unions are a stabilizing force in the domestic economy and play an important role in providing financial services to local community and underserved groups, I am introducing the Credit Union Regulatory Improvements Act of 2008, CURIA.

The health of credit unions in today's turbulent economy is attributable to a business model that differs significantly from that of other financial institutions. Similar to banks and thrifts, credit unions act as intermediaries in the market for consumer finance. Credit unions, however, are governed by certain rules that take into account their position as cooperative lenders. Notably, credit unions operate as tax-exempt, nonprofit institutions. All credit union earnings are retained as capital or returned to members in the form of higher interest rates on savings accounts, lower interest rates on loans, and other financial benefits. Second, credit unions are member-owned with each member entitled to one vote in selecting board members and other decisions. Third, credit unions do not issue capital stock. Rather, credit unions create capital by retaining earnings. Fourth, credit unions rely on volunteer, generally unpaid boards of directors elected from the membership. Lastly, credit unions are limited to accepting members identified in a credit union's articulated field of membership—usually reflecting occupational, associational, or geographical links or affinity.

In short, through a cooperative ownership structure, credit unions offer access to financial services to millions of Americans. As a result of strong ties to their communities, credit unions help meet local needs, and in the process, encourage economic growth, job creation, savings, and opportunities for small business owners. At the end of 2007, over 88 million individuals were members of state or federally charted credit unions in the United States, including close to a million individuals in the State of Connecticut.

The legislation I am introducing will help modernize the Federal Credit Union Act, bringing antiquated rules into the era of twenty-first century consumer finance. CURIA would remove several instances of statutory

micromanagement that place unreasonable constraints on the ability of credit unions and their boards to function efficiently and in the best interests of their members. The first title would update current capital requirements by implementing recommendations from the National Credit Union Administration, NCUA, the Federal regulatory body that oversees credit unions. For purposes of setting capital requirements, CURIA would implement a rigorous, two-part net worth test that would more closely track an institution's actual asset risk. The second title would promote community development and local economic growth by providing for modest expansion in credit union business lending. The title also includes provisions that would permit credit unions to extend services to areas with high unemployment and low incomes. The third title would provide credit unions with relief from outdated regulatory burdens by authorizing the NCUA to increase maximum loan terms and raise interest rate ceilings in response to sustained increases in prevailing market interest rate levels. The title would further allow greater credit union investment in credit union service organizations, allow limited investments in securities, and update credit union governance rules.

Vigorous competition among financial service providers, new technology, and globalization have resulted in a financial marketplace where the products and actors are evolving at a much more rapid rate than the statutes and regulations that govern them. While recent events demonstrate that we must be prudent in our approach to financial regulation, we must not allow our rules to unjustifiably constrain those actors, such as credit unions, that contribute to financial stability, community development, and long-term growth. The Credit Union Regulatory Improvements Act is an important step toward modernizing and calibrating our financial regulatory rules, I encourage my colleagues to support it.

Mr. President, I ask unanimous consent a section-by-section analysis be printed in the RECORD.

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

THE CREDIT UNION REGULATORY IMPROVEMENTS ACT OF 2008

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 would establish the short title of the bill as the Credit Union Regulatory Improvements Act of 2008.

TITLE I: CAPITAL REFORM

Section 101. Amendments to net worth categories

The Federal Credit Union Act presently specifies the amount of capital credit unions must hold in order to protect their safety and soundness and the solvency of the National Credit Union Share Insurance Fund (''Insurance Fund''). Many experts, however, have noted that this capital allocation system is inefficient and does not appropriately account for risk. Section 101 incorporates recent recommendations of the National Credit Union Administration, NCUA, to provide a two-tier capital and Prompt Corrective Action, PCA, system for federally insured credit unions involving complementary leverage and risk-based minimum capital requirements. Under the proposed system, a well capitalized credit union must maintain a leverage net worth ratio of 5.25% and a minimum risk-based ratio of 10%. When a credit union's capital deposit to the Insurance Fund (equal to 1% of insured deposits) is added, a credit union's total net worth would equal or exceed the capital requirements for FDIC-insured banks and thrifts.

Section 102. Amendments relating to risk-based net worth categories

Currently, only federally insured credit unions that are considered ''complex'' must meet a risk-based net worth requirement under the Federal Credit Union Act. Section 102 would instead require all federally insured credit unions to meet a risk-based net worth requirement, and it directs the Board to take into account comparable risk standards for FDIC-insured institutions when designing the risk-based requirements appropriate to credit unions.

Section 103. Treatment based on other criteria

Section 103 would permit the NCUA Board to delegate to regional directors the authority to lower by one level a credit union's net worth category for reasons related to interest-rate risk not captured in the risk-based ratios, with any regional action subject to Board review.

Section 104. Definitions relating to net worth

Net worth, for purposes of prompt corrective action, is currently defined as a credit union's retained earnings balance under generally accepted accounting principles. Section 104 would make three important revisions to this definition. First, it clarifies that credit union net worth ratios must be calculated without a credit union's capital deposit with the Insurance Fund. Second, it provides a new definition for ''risk-based net worth ratio'' as the ratio of the net worth of the credit union to the risk assets of the credit union. Third, it would permit the NCUA to impose additional limitations on the secondary capital accounts used to determine net worth for low-income community credit unions where necessary to address safety and soundness concerns.

SECTION 105. AMENDMENTS RELATING TO NET WORTH RESTORATION PLANS

Section 105 would provide the NCUA Board with authority to waive temporarily the requirement to implement a net worth restoration plan for a credit union that becomes undercapitalized due to disruption of its operations by a natural disaster or a terrorist act. It would further permit the Board to require any credit union that is no longer well capitalized to implement a net worth restoration plan if it determines the loss of capital is due to safety and soundness concerns and those concerns remain unresolved by the credit union.

This section would also modify the required actions of the Board in the case of critically undercapitalized credit unions in several ways. First, it would authorize the Board to issue an order to a critically undercapitalized credit union. Second, the timing of the period before appointment of a liquidating agent could be shortened. Third, the section would clarify the coordination requirement with state officials in the case of state-chartered credit unions.

TITLE II: ECONOMIC GROWTH

Section 201. Limits on member business loans

Section 201 would increase the current arbitrary asset limit on credit union member business loans from the lesser of 1.75 times actual net worth or 1.75 percent times net worth for a well-capitalized credit union (12.25% of total assets) to a flat limit of 20% of the total assets of a credit union. This update would facilitate added member business lending without jeopardizing safety and soundness at participating credit unions, as the 20% cap would still be equal to or stricter than business lending caps imposed on other depository institutions.

Section 202. Definition of member business loans

Section 202 would give NCUA the authority to exclude loans of $100,000 or less as de minimis, rather than the current $50,000 exclusion, from calculation of the 20% cap on member business loans. This change would thus facilitate the ability of credit unions to make additional loans and encourage them to make very small business loans. It also builds upon the findings in a 2001 study by the Treasury Department that found that ''. . . credit union member business loans share many characteristics of consumer loans'' and that ''. . . these loans are generally smaller and fully collateralized, and borrower risk profiles are more easily determined.''

Section 203. Restrictions on member business loans

Section 203 would modify language in the Federal Credit Union Act that currently prohibits a credit union from making any new member business loans if its net worth falls below 6 percent. This change would permit the NCUA to determine if such a policy is appropriate and to oversee all member business loans granted by an undercapitalized institution.

Section 204. Member business loan exclusion for loans to non-profit religious organizations

To facilitate the ability of credit unions to support the community development activities of non-profit religious institutions, Section 204 would exclude loans or loan participations by credit unions to non-profit religious organizations from the member business loan limits contained in the Federal Credit Union Act.

Section 205. Credit unions authorized to lease space in buildings in underserved areas

In order to enhance the ability of federal credit unions to assist underserved communities with their economic revitalization efforts, Section 205 would allow a credit union to lease space in a building or on property on which it maintains a physical presence in an underserved area to other parties on a more permanent basis. It would also permit a federal credit union to acquire, construct, or refurbish a building in an underserved community, then lease out excess space in that building.

Section 206. Amendments relating to credit union service to underserved areas

Section 206 would revise a provision of the 1998 Credit Union Membership Access Act that has been incorrectly interpreted as permitting only federal credit unions with multiple common bond charters to expand services to individuals and groups living or working in areas of high unemployment and below median incomes that typically are underserved by other depository institutions. The change would reestablish prior NCUA policy of permitting all federal credit unions, regardless of charter type, to expand services to eligible communities that the Treasury Department determines meet income, unemployment and other distress criteria.

Section 207. Underserved areas defined

Section 207 would expand the criteria for determining whether a community or rural area qualifies as an underserved area. The

definition of a qualified underserved area includes not only areas currently eligible as ''investment areas'' under the Treasury Department's Community Development Financial Institutions (CDFI) program, but also census tracts qualifying as ''low income areas'' under the New Markets Tax Credit targeting formula adopted by Congress in 2000.

TITLE III: REGULATORY MODERNIZATION

Section 301. Investments in securities by federal credit unions

The Federal Credit Union Act presently limits the investment authority of federal credit unions to loans, government securities, deposits in other financial institutions, and certain other limited investments. Section 301 would provide additional investment authority to allow credit unions to purchase for the credit union's own account certain investment grade securities. The total amount of the investment securities of any one obligor or maker could not exceed 10% of the credit union's net worth and total investments could not exceed 10% of total assets.

Section 302. Authority of NCUA to establish longer maturities for certain credit union loans

The Federal Credit Union Act was amended in 2006 to allow the NCUA Board to increase the 12-year maturity limit on non-real estate secured loans to 15 years. Section 302 would further provide the Board with additional flexibility to issue regulations providing for loan terms exceeding 15 years for specific types of loans.

Section 303. Increase in 1 percent investment and loan limits in credit union service organizations

The Federal Credit Union Act authorizes federal credit unions to invest in organizations providing services to credit unions and credit union members. Currently, an individual federal credit union may invest in aggregate no more than one percent of its unimpaired capital and surplus in these organizations, commonly known as credit union service organizations or CUSOs. Credit unions also are limited in the amount they may loan to all CUSOs to one percent of unimpaired capital and surplus. Section 303 would double the amount a credit union may invest in all CUSOs, and the aggregate amount it may lend to CUSOs, to two percent of credit union unimpaired capital and surplus.

Section 304. Voluntary mergers involving multiple common bond credit unions

NCUA has identified ambiguous language in the 1998 Credit Union Membership Access Act as creating uncertainty for certain voluntary credit union mergers by requiring that groups of more than 3,000 members be required to start a new credit union rather than be incorporated as a new group within a multiple common-bond credit union. Section 304 would clarify that this numerical limitation would not apply to bar groups of more than 3,000 members that are transferred between two existing credit unions as part of a voluntary merger.

Section 305. Conversions involving certain credit unions to a community charter

In cases when a single or multiple common-bond federal credit union converts to a community credit union charter, there may be groups within the credit union's existing membership that are located outside the new community charter's geographic boundaries, but which desire to remain part of the credit union and can be adequately served by the credit union. Section 305 would require NCUA to establish the criteria whereby it may determine that a member group or other portion of a credit union's existing membership, located outside of the community, can be satisfactorily served and remain within the credit union's field of membership.

Section 306. Credit union governance

Section 306 would provide federal credit union boards the flexibility to expel a member, based on just cause, who is disruptive to the operations of the credit union, including harassing personnel and creating safety concerns, without the need for a two-thirds vote of the membership present at a special meeting as required by current law. The section would also permit federal credit unions to limit the length of service of their boards of directors to ensure broader representation from the membership.

Section 307. Providing the National Credit Union Administration with greater flexibility in responding to market conditions

Currently, the NCUA Board may raise the usury interest rate ceiling on loans by federal credit unions whenever it determines that money market rates have increased over the preceding six-month period and prevailing interest rates threaten the safety and soundness of individual credit unions. Section 307 would give the Board greater flexibility to make such determinations based either on sustained increases in money market interest rates or prevailing market interest rate levels.

Section 308. Credit union conversion voting requirements

Section 308 includes several changes to current law pertaining to credit union conversions to mutual thrift institutions. It would increase the minimum member participation requirement in any vote to approve a conversion to 30% of the credit union's membership. It would require the board of directors of a credit union considering conversion to hold a general membership meeting one month prior to sending out any notices about a conversion vote that contain a voting ballot. It would also prohibit use of raffles, contest, or any other promotions to encourage member voting in a conversion vote.

Section 309. Exemption from pre-merger notification requirement of the Clayton Act

Section 309 would give all federally insured credit unions the same exemption that banks and thrift institutions already have from pre-merger notification requirements and fees for purposes of antitrust review by the Federal Trade Commission under the Clayton Act.

By Mr. DOMENICI (for himself, Mr. BUNNING, Mr. SESSIONS, Mrs. HUTCHISON, Mr. BOND, Mr. INHOFE, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BENNETT, Mr. WICKER, Mr. CHAMBLISS, Mr. STEVENS, Mr. CORNYN, Mr. ENZI, Mr. ISAKSON, Mr. THUNE, Mr. VOINOVICH, Mr. ALLARD, and Mr. MCCONNELL).

S. 2958. A bill to promote the energy security of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I have a few remarks about the energy situation I would like to share with the Senate. Two months ago, I came to the floor to deliver a series of speeches on the State of our Nation's energy security. I said then, unequivocally, that our Nation's economic strength had been put in great peril by our growing dependence on foreign oil.

I have been a member of the Energy Committee for 30 years and have served as chairman of that committee, as well as the Budget Committee, for a long period during that time. I have seen my share of serious debate on energy and the economy, and I recognize how vital these issues are to our Nation's well-being.

Unfortunately, in these times of high gas prices and an approaching election, I have also seen my share of not-so-serious debate. The American people deserve better than false promises of short-term fixes, driving season gimmicks, and empty threats to the Middle East.

I said in February—and I say it again today—the American people deserve serious, thoughtful, long-term solutions to our ever-growing energy crisis. If there are short-term solutions, or short-term aids, we ought to share those, too, and get on with adopting them.

Investigating, taxing, and threatening our American oil and gas companies will do nothing to reduce the stranglehold foreign oil dependence has put on our economic strength, national security, and foreign policy agenda.

To blame either side of the aisle for the trouble this Nation is in misses the point. The American people did not send us here to cast blame on one side or the other, and they certainly didn't send us here to put bandaids on serious illnesses that threaten our Nation.

My first year in the Senate was during a Republican administration, when a President set out an aggressive agenda to reduce our Nation's oil imports.

At that time, we were importing 6 million barrels of oil a day, which represented 35 percent of our total oil consumption.

Fast forward 36 years to today. The aggressive agenda through several administrations and Congresses under the control of both parties has failed time and again. Today, we are more than 60 percent dependent on foreign oil which comes from some of the most hostile regimes in the world. Over time, our consumption has grown at a moderate rate, but our imports have more than doubled to 13.4 million barrels per day. The result is a rising cost of energy, a rising threat of disruption in our energy supply, and a rising anger among our already burdened constituents.

As I said today, the average price of gasoline is $3.62 a gallon, an alltime high for the 17th straight day. Crude oil closed above $113 per barrel last night. The average approval rating of Congress has plummeted to 22 percent, and yet we continue to point fingers back and forth.

In the past few years, Congress has achieved significant success in addressing long-term energy security. We passed a 2005 bill that will bring us a nuclear renaissance, a 2006 bill that will bring us greater domestic oil and gas production in the Gulf of Mexico, and a 2007 bill that will bring us increased fuel efficiency. That is a dramatic change in the CAFE standards.

These were not little things, and they were hard to do. They were done without finger-pointing and with bipartisan support.

To face this new challenge, however, we must do even more. Debate about energy, oil, and the environment has reached a fever pitch. The challenge of our time will be how we meet a rising demand for energy from the literally billions of new consumers who wish to share in the benefits of a global economy. I think we all know what that means. That means India, China, and other countries are adding to the demand part of the supply-and-demand cycles in mammoth ways. Already, China is moving ahead as one of the largest importers of oil and users of oil in the whole world. Just 10 years ago, or 12, they were hardly on the map. For our Nation's future energy security and the world's, we will need to ensure our supply of energy is reliable, affordable, and abundant.

Today, I introduced the Domestic Energy Production Act of 2008. I ask unanimous consent that title be changed to the American Energy Production Act of 2008.

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

Mr. DOMENICI. I ask that the clerk so change the bill, if they can. If not, the Senator from New Mexico asks for the right to change it.

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

Mr. DOMENICI. Madam President, the policies set forth in this bill will begin to move us in the right direction. I urge my colleagues to support its passage and to look at it seriously.

First, the bill allows for States on the Atlantic and Pacific coasts to petition the Federal Government to opt out of the broad moratorium that for two decades has locked up America's assets and forced us to turn toward unstable foreign nations to power our lives. I believe it is time that we ask the Atlantic and Pacific coastal States to take a real look at whether we could drill distances from their shores without doing any harm and adding substantially to the American supply for all our citizens, not just the coastal citizens. I believe the time is ripe. I believe right-headed people will consider that might be a reality. If we were to do it, we were told just that contains literally millions of barrels of crude oil and billions of cubic feet of natural gas for the American energy future.

First, this bill allows these Atlantic and Pacific coasts to petition their Government to opt out, as I said, and these are large quantities of assets that are American. Together, the Atlantic and Pacific Oceans contain oil reserves, and here are the numbers, what we know without doing a detailed reconnaissance. There are reserves of up to 14 billion barrels and natural gas reserves totaling 55 trillion cubic feet. Those are big enough for the American people to demand that everyone who represents States in this Senate look at this, whether they are coastal State Senators or not. America needs an honest evaluation because with these States, if there was no damage—and I believe we can drill without any damage today—we might move in a direction, an honest direction, of reducing dramatically what we must import overseas.

Opening them to leasing would literally bring billions of dollars to the Federal Treasury and billions of dollars to the coastal States because they would share in it 37 percent, as we did with the coastal States of Louisiana, Mississippi, and Texas when we, 2 years ago, did the same thing for Gulf States and opened those areas for drilling. Those States abutting were positively impressed and helped by it because they wanted development and they also wanted to share in the royalties. The new way we build platforms and drill is a far cry from 20 years ago when coastal States were so worried. Actually, we can do it with little or no footprint, little or no seepage or damage, there is no question about it.

Next, the bill opens 2,000 acres of the 19 million acres of the Arctic plain, or ANWR, for oil and gas leasing. In 1995, President Clinton vetoed an ANWR bill, and the price of oil was $19 a barrel. As a result, 1 million barrels of oil continue to sit beneath our ground each day instead of in our gas tanks. I believe the ultimate find, if we are permitted to drill, would be much more than the million barrels, without a question. The footprint is so small, the new directional drilling is so accurate that I believe it deserves an opportunity for the Senate to look again and think again and for the American people to look again and think again with us on what should be done. The price of oil is now $113 a barrel. When we last voted, the price was somewhere above $50 but certainly nothing like this.

Yesterday, I heard a colleague on the other side of the aisle urge OPEC nations to release 500,000 barrels of oil to the global market. Today, in introducing this bill, I respond to my colleagues to release more than 1 million barrels to that supply, from our own lands, by supporting my bill. We don't know how much more we will get if the coastal States join in and begin lifting the moratorium. We may be able to send a message that more than the 500,000 barrels my colleague on the other side sought and far more than the 1 million we would get from Alaska would be released into the American market.

This bill provides for a consolidated permitting process to ease constraints on building refineries in this country. While we improved the capacity over years, we consistently hear the criticism that no new refinery has been built in our country for over 30 years. Our Nation cannot afford to go 30 more years without building additional refineries.

The bill also provides a small measure of relief by suspending delivery to the Strategic Petroleum Reserve. I ask my colleagues to consider their views on certain issues. I remind them that this issue I have reconsidered on my own. I believe it is appropriate in this pricing environment that we stop filling the SPR for up to 6 months, thus providing 70,000 additional barrels of light sweet crude per day. That might have an effect. Although it will be minor, it might be recognizable on the price of oil. I think it is time to do that.

I told the chairman of the Subcommittee on Energy and Water Development, with whom I serve and was the principal sponsor of this, that I would join him in this when he was ready to move on the Senate floor.

By its very nature, this is just a fraction of the oil that will be gained through OCS production. OCS is what I am talking about in the bill I introduced today, and ANWR, oil shale production, and coal-to-liquid production are in this bill. In today's environment, any small amount helps the people of this country.

In the area of alternative resources, this bill requires studies on ethanol to help ensure that smart decisions are made as we move toward cellulosic and other advanced biofuels. This bill provides incentives for the advancement of breakthrough energy technologies, such as battery-powered vehicles. That is important. It is obvious to everyone that we have not moved ahead as rapidly as we should in battery development, and we ought to push hard with our greatest scientists because a change in the right direction there would be a dramatic change in the right direction for automobiles that would be electric-motored and that would be good for our country.

Our Nation is often called the Saudi Arabia of coal, and we should use that domestic resource to help reduce our dependence on foreign oil. This bill creates a mandate for up to 3 billion gallons of clean coal-derived fuels over the next decade and 6 billion gallons over the next 14 years. This will provide diesel and jet fuel to help power our economy and create jobs throughout our coal-producing States.

Additionally, this provision requires that the mandated fuels have life-cycle greenhouse gas emissions no greater than conventional gasoline.

This is a win-win for our economy and our environment. I don't know why it is so violently opposed by some in America. I think they just don't want us to use our own if it means we are going to use it in automobiles, diesel trucks, or the like. I don't understand. If we don't do it, we will be using foreign oil unless and until we find a total new substitute, which will be years from now.

This bill also allows for the long-term procurement of synthetic fuels by the Department of Defense and repeals section 526 of last year's Energy bill.

That provision ties greenhouse gas emission requirements to the types of fuels our Air Force can purchase. The practical translation is that in a time of war, this policy would direct our military to purchase oil from the sands of the Middle East rather than the oil sands of Canada.

While this bill takes many steps to strengthen our Nation's energy security, it also repeals several provisions in last year's appropriations bills that threaten to damage our Nation's energy security. At this point, most everyone knows what they are. I will merely mention one of those that is big, and that is a mandate that was imposed on oil shale development in America.

Somebody in conference—I think we know which one but need not say since it is not certain—put a rider on that bill that said the final regulations for shale development have a moratorium imposed. That comes at a time when Shell Oil and others are exploring the great potential of shale converted to oil. I don't see why we should do this. I believe we should take that off and let them proceed. They will be bound by the laws of our land, and obviously, with the high price of crude oil, it is clear to me that they are going to find a way to make oil shale equal to conventional oil and thus usable by Americans as American-produced oil. We should let that happen as rapidly as possible and not deter it. I know some will not agree, but I would think that debate, carried to the American people, would be voted overwhelmingly in favor of letting it happen. That is why we put it in this bill.

Finally, this bill repeals a $4,000 fee for drilling permits. These costs, slipped into a large Omnibus measure without notice or debate, hit the smallest oil and gas companies in our States. Making it more difficult to produce domestic energy for domestic use will only serve to further increase the prices we pay at the pump.

As I complete my final year in the Senate, I look back on the many accomplishments this body has achieved for the American people. This great work has often been done when Members reached across the aisle after thoughtful deliberation, serious debate, and reasoned judgment. I hope, as the Congress makes a serious effort to tackle the energy challenges of our time, that we will address these challenges in the same spirit.

As I said a few months ago on this floor that America faces a serious energy crisis with vital implications for our national security, economic strength, and foreign policy. The American people deserve a serious debate, for our present challenge will require thoughtfulness, vision, and judgment—not just today, but when the cameras are off, the elections are far away, and gas prices subside.

By Mr. FEINGOLD (for himself, Ms.KLOBUCHAR, Mr. TESTER, and Mr. HARKIN):

S. 2959. A bill to amend the Help America Vote Act of 2002 to require States to provide for election day registration; to the Committee on Rules and Administration.

Mr. FEINGOLD. Mr. President, today I will introduce, along with Senators KLOBUCHAR, TESTER, and HARKIN, the Election Day Registration Act of 2008, which would significantly increase voter participation by allowing all eligible citizens to register to vote in Federal elections on Election Day.

In many ways, the machinery of our democracy needs significant repair. We live in an age of low turnout and high cynicism. The American people have lost faith in our election system, in part because they are not confident that their votes will be counted or that the ballot box is accessible to each and every voter regardless of ability, race, or means.

What we see instead are long lines at polling places; faulty voting machines; under-trained, under-paid, over-worked poll workers; partisan election administrators; suspect vote tallies; caging lists; intimidation at the polling place; misleading flyers; illegal voter-file purges; and now, the Supreme Court approving discriminatory voter ID laws. If people cannot trust their elections, why should they trust their elected officials?

Two years ago, Professor Dan Tokaji, a leading election law expert, called for a ''moneyball approach to election reform.'' Named after Michael Lewis's book about the Oakland A's data-driven hiring system, Tokaji's approach is quintessentially progressive, as that term was understood at the turn of the century. ''I mean to suggest a research-driven inquiry,'' Tokaji wrote, ''in place of the anecdotal approach that has too often dominated election reform conversations. While anecdotes and intuition have their place, they're no substitute for hard data and rigorous analysis.''

This bill embodies the moneyball approach to election reform. In stark contrast to many so-called election reform proposals, this bill addresses a real problem—low voter turnout—it targets a major cause of the problem—archaic registration laws—and it offers a proven solution—Election Day registration.

The bill is very simple: it amends the Help America Vote Act to require every State to allow eligible citizens to register and vote in a Federal election on the day of the election. Voters may register using any form that satisfies the requirements of the National Voter Registration Act, including the Federal mail-in voter registration form and any state's standard registration form. North Dakota, which does not have voter registration, is exempted from the bill's requirements.

The bill itself is simple, but it addresses a significant problem: the low voter turnout that has plagued this country for the last 40 years. We live in a participatory democracy, where our Government derives its power from the consent of the governed, a consent embodied in the people's exercise of their fundamental right to vote. It is self evident that a participatory democracy depends on participation.

This may be a government of the people, but the people are not voting. Since 1968, American political participation has hovered around 50 percent for Presidential elections and 40 percent for congressional elections. Even in 2004, a record-breaking year, turnout was only 55 percent of the voting age population. The U.S. may be the only established democracy where the fact that a little under half of the electorate stayed home is considered cause for celebration.

In fact, our predecessors in the Senate would be surprised to find us celebrating such low turnout: a 1974 report by the Senate Committee on the Post Office and Civil Service bemoaned the ''shocking'' drop in turnout in the 1972 election. And what was the number that so troubled the Committee—55 percent.

The report went on: ''[i]t is the Committee's conviction that our disquieting record of voter participation is in large part due to the hodgepodge of registration barriers put in the way of the voter. Such obstacles have little, if anything, to recommend them. At best, current registration laws in the various states are outmoded and simply inappropriate for a highly mobile population. At worst, registration laws can be construed as a deliberate effort to disenfranchise voters who desperately need entry into the decision-making processes of our country.''

What a shame, that the Committee's findings are still valid. Our archaic registration laws have been reformed, but they are still archaic. We have passed a number of important bills designed to combat low turnout, but turnout is still low. America is even more mobile than it was in 1974, and yet our registration laws are still out of touch with the reality that more than 40 million Americans move every year. Worst of all, our registration laws still fall especially hard on the young, the old, and the poor.

We have long known that complicated voter registration requirements constitute one of the major barriers to voting. In fact, many States adopted voter registration in order to prevent certain segments of the population from voting. Alexander Keyssar, the preeminent scholar on the history of the right to vote in this country, writes that although ''[r]egistration laws emerged in the nineteenth century as a means of keeping track of voters and preventing fraud; they also served—and were intended to serve—as a means of keeping African-American, working-class, immigrant, and poor voters from the polls.''

It is time for a fundamental change. A large body of research tells us that unnecessarily burdensome voter registration requirements are the single

largest factor in preventing people from voting. Simply put, voter registration restrictions should not keep eligible Americans from exercising their right to vote. The solution to this problem is Election Day registration.

Decades of empirical research confirm Election Day registration's positive impact on turnout. As one academic paper states, ''the evidence on whether EDR augments the electorate is remarkably clear and consistent. Studies finding positive and significant turnout impacts are too numerous to list.'' Studies indicate that Election Day registration alone increases turnout by roughly 5 to 10 percentage points.

In general, States with Election Day registration boast voter turnout that is 10–12 percentage points higher than States that require voters to register before Election Day. Turnout in Minnesota and Wisconsin, which implemented Election Day registration over 35 years ago, has been especially high: in 2004, for example, 78 percent of eligible Minnesotans and 75 percent of eligible Wisconsinites went to the polls. The last time national voter turnout was above 70 percent, it was 1896, there were only 45 States, and the gold standard was the dominant campaign issue.

Critics might worry about the possibility of fraud, but Election Day registration actually makes the registration process more secure. Voters registering on Election Day do so in the presence of an elections official who verifies the voter's residency and identity on the spot. Mark Ritchie, Minnesota's Secretary of State, points out that Election Day registration ''is much more secure because you have the person right in front of you—not a postcard in the mail. That is a no-brainer. We have 33 years of experience with this.''

In contrast to most election reforms, the cost of Election Day registration is negligible. A recent survey of 26 local elections officials in six EDR States found that ''officials agreed that incidental expense of administering EDR is minimal.'' In fact, Election Day registration may actually result in a net savings because it significantly reduces the use of provisional ballots. Provisional ballots, which are required by the Help America Vote Act, are expensive to administer. The Congressional Budget Office estimates that provisional ballots cost State and local governments about $25 million a year.

In some states the number of provisional ballots cast is surprisingly large. For example, in 2004, more than 4 percent of California's registered voters cast provisional ballots—that's 644,642 provisional ballots. In Ohio, 157,714 provisional ballots were cast, about 2 percent of all registered voters.

In contrast, in 2004 only 0.03 percent of voters in EDR States cast a provisional ballot. In Wisconsin, only 374 provisional ballots were cast. In Maine, only 95 provisional ballots were cast. In fact, only 952 provisional ballots were cast in all the EDR States combined in 2004. To be sure, this bill is no cure-all: it does not address long lines, deceptive flyers, and faulty voting machines. Other bills, good bills, address those issues.

The bottom line is this: the Election Day Registration Act would substantially increase civic participation, improve the integrity of the electoral process, reduce election administration costs, and reaffirm that voting is a fundamental right. It has been proven effective by more than 30 years of successful implementation in Minnesota and Wisconsin and decades of empirical research. Election Day registration is good for voters, good for taxpayers, and good for democracy.

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. 2959

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 ''Election Day Registration Act''.

SEC. 2. ELECTION DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (42 U.S.C. 15481 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following new section:

''SEC. 304. ELECTION DAY REGISTRATION.

''(a) IN GENERAL.—

''(1) REGISTRATION.—Notwithstanding section 8(a)(1)(D) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–6), each State shall permit any eligible individual on the day of a Federal election—

''(A) to register to vote in such election at the polling place using a form that meets the requirements under section 9(b) of the National Voter Registration Act of 1993; and

''(B) to cast a vote in such election.

''(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to a State in which, under a State law in effect continuously on and after the date of the enactment of this section, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual who is otherwise qualified to vote in a Federal election in such State.

''(c) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of subsection (a) for the regularly scheduled general election for Federal office occurring in November 2008 and for any subsequent election for Federal office.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 401 of such Act (42 U.S.C. 15511) is amended by striking ''and 303'' and inserting ''303, and 304''.

(2) The table of contents of such Act is amended—

(A) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306, respectively; and

(B) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Election day registration.''.

Ms. KLOBUCHAR. Mr. President, I come to the floor today to speak about a fundamental right in this country: the right to vote. Although it is one of the greatest rights we have built this government on, we have states across the country that still limit that right by not allowing people to vote if they have not met an arbitrary registration deadline. A deadline that is sometimes set months in advance of Election Day. Since 1973, Minnesota has allowed citizens in the state to register to vote on the same day as the election, and, not coincidentally, year after year, my state has the highest voter turnout in the country.

As the Presidential election is fast approaching, we need to ensure that people across the country have the ability to vote when November 4th, 2008, rolls around. This is why, Mr. President, I am happy that this afternoon, Senator FEINGOLD and I introduced legislation that enables voters in every state to register on Election Day for Federal elections. My colleague's home state of Wisconsin, like Minnesota, has put a high price on voter registration, and has allowed Election Day Registration for over 30 years with great success. I am also pleased that we are joined on this bill by Senator HARKIN from Iowa and Senator TESTER from Montana. Both Iowa and Montana recently enacted same-day voter registration laws—significantly improving voter turnout throughout the state.

This legislation comes at a critical time—it is on the heels of a Supreme Court decision that tightens the ability of Indiana citizens to vote by requiring valid photo identification at the polling booth. And just this last week, several election registration volunteers in Florida stopped their registration work for fear that they would be fined upwards of $1000 if they made a mistake.

In Minnesota, some credit the election of Jesse Ventura as Governor in 1998 to our same-day registration voting policy. Voters who had never voted before showed up at the polls and voted in unprecedented numbers. I can't say that I ever imagined that we would have a Governor wear a pink boa at his inaugural celebration, but the ability for the citizens of Minnesota to cast their ballot and enact change is the kind of democracy this country is founded upon.

In the past decade, as states around the country are experimenting with new and innovative ways to combat voter fraud, Election Day Registration has actually helped eliminate voter fraud at the polls. I've worked a great deal with the Secretary of State in Minnesota, Mark Ritchie, and he has found that registering at the polls, instead of by mail with a postcard, decreases the chance for fraud. When citizens are registering right in front of the election official, on the day of the election, chances of fraud are decreased. It's a pretty simple concept, but a fundamental one. As Secretary of State Ritchie has said, it's ''a no-brainer.''

The myriad of voter registration laws across the country are mind-boggling. In Nevada, you must register by 9 p.m., on the fifth Saturday before the election. A handful of states require registration 25 days before the election, another handful require 29 days. Some have to be postmarked by that date, and others have to be received by the deadline. A few set the cutoff at 20 days, a few at 10 days, and in Vermont, you have until 5 p.m., the Wednesday before the election. If you're in Utah, you must register 30 days before the election by mail, but if you miss that, you can register in person on the 18th or 15th day before the election. Where we have one, national, election day of November 4th this year, it is hard to imagine voters, because of the State they reside, could miss their chance to vote.

There are 8 States that allow citizens to register at the polls: Maine, Minnesota, New Hampshire, Wisconsin, Wyoming, and now Iowa and Montana have joined the list. Historically, these first six States have seen voter turnout that is 8 to 15 percent higher than the national average. In the 2004 Presidential election, only 64 percent of the eligible population voted; but in Minnesota, 79 percent of the population turned out to vote. As Senator FEINGOLD mentioned, the last time we had turnout that high on a national level was 1896, and we only had 45 states. No matter what side of the aisle, we are seeing an unprecedented interest in the upcoming Presidential election, and we need to give the citizens the ability to register on Election Day.

This is a simple, yet fundamental bill. It amends legislation we passed in 2002, the Help America Vote Act, to allow voters to register and cast their ballot on the same day in a Federal election. Where Americans across the country are facing skyrocketing gas prices, health costs that many cannot afford, and an economy that is approaching recession, we need to ensure that every citizen has the right to wake up on Election Day and decide they will cast their ballot for President.

Mr. TESTER. Mr. President, I rise today to join my colleagues, Senators FEINGOLD, HARKIN and KLOBUCHAR in introducing a bill that would significantly increase voter participation. The Election Day Registration Act of 2008, EDR, would allow all eligible citizens to register to vote in federal elections on Election Day.

Studies have shown a strong increase in voter turnout in those States who have EDR. In 2004, 73.8 percent of all eligible voters in EDR states voted, compared with 60.2 percent of eligible voters in states without EDR—a difference of 13.6 percentage points. The top four States for turnout in 2004 had EDR—Minnesota 78 percent, Wisconsin 75 percent, Maine 73 percent, and New Hampshire 71 percent. The fifth highest state was Oregon—the universal vote-by-mail state. Even more compelling, the turnout is higher even when controlling for competitiveness—in terms of voter participation, ''safe'' states with EDR significantly outperformed ''safe'' states without EDR. Voter participation in those ''Battleground'' States with EDR was significantly higher than in those ''battleground'' states without EDR.

High voter participation is a fundamental part of a healthy democracy. This year we have seen record numbers of voters participating in the presidential primaries. The implementation of EDR for federal elections would build upon this momentum. Montana is expecting record turnout for our presidential primary on June 3rd.

EDR permits eligible citizens to register and vote on Election Day. There are currently 9 states that have some form of EDR: Minnesota, Maine, Wisconsin, Idaho, Wyoming, New Hampshire, Iowa, North Carolina and of course my home state of Montana. Iowa adopted EDR in March 2007 and North Carolina has implemented Same Day Registration at early voting sites. While the version in North Carolina isn't complete EDR, it is a strong move for increased access to the democratic process.

There is nationwide interest in EDR. Last year, 21 States had bills before their legislature to implement, or begin feasibility studies in support of, EDR.

In my home state of Montana we have had Election Day Registration. Montana adopted EDR in 2005 while I was president of the Montana state senate. Montana's version is a little different from EDR in Wisconsin and Minnesota—in Montana, the voter registers, election day, at the county courthouse rather than at the polling place. Whether it is at the polling place or the courthouse, the important fundamentals of access are maintained.

With EDR, the use of and reliance upon provisional ballots would be minimized. Provisional ballots are useful and valuable tools, however with EDR, the costly validation process that takes place after election day could be avoided, as eligibility considerations could be made on election day and the voter would then use a standard ballot. EDR streamlines the administrative process and makes sure that votes are counted.

Enactment of EDR would be a major step in the right direction towards inclusive and fully participatory elections. It's clear that people are more likely to vote when they know their votes will be counted. EDR has proven track record of increasing participation, and those concerns raised have been largely disproven or are easily addressed. In the end EDR allows more Americans to do that which is most fundamental to the democracy we love and the freedom we, as Americans, stand for—vote.

My cosponsors and I think this Election Day Registration Act of 2008 is necessary to strengthen our democracy. We welcome our fellow senators to support this important legislation.

By Mr. DODD:

S. 2960. A bill to amend the Homeland Security Act of 2002, to establish the Office for Bombing Prevention, to enhance the role of State and local bomb squads, public safety dive teams, explosive detection canine teams, and special weapons and tactics teams in national improvised explosive device prevention policy, to establish a grant program to provide for training, equipment, and staffing of State and local improvised explosive device prevention, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DODD. Mr. President, today I am introducing the National Improvised Explosive Device, IED, Preparedness and Prevention Act of 2008. This bill will ensure that the brave men and women who are called on to respond to bomb threats around the country have the necessary tools, training, and personnel to keep our communities safe.

Furthermore, this bill gives our State and local responders unprecedented access to the federal policy making committees directing the national agencies that keep our homeland secure.

Regrettably, over the years, our people have suffered attacks from homemade bombs, not only on distant battlefields of Iraq and Afghanistan, but here in America. From the 1983 truck bombing of the Beirut Barracks to the Alfred P. Murrah Federal Building bombing in Oklahoma City to the recent Times Square Military Recruiting Office bombing in New York City, we have seen the devastating effects such attacks wield.

These bombs, which have become known in the lexicon of the Pentagon as ''Improvised Explosive Devices'' or IEDs, are the number one cause of death and injury to our troops overseas. Whether it is in lives lost, economic damage, or the simple loss of feeling safe in our communities, IEDs pose a threat to American security.

We must therefore ensure that our state and local bomb squads, SWAT Teams, K–9 units, and public safety dive teams are sufficiently prepared to meet this challenge, as they most certainly will be the first on the scene to respond to the next IED scare. These courageous public servants put their lives on the line every day to keep us safe. The least we can do is to make certain that they have the resources they need and a seat at the table in critical IED policy making discussions. That is why I have introduced this legislation and have worked hard to address these very real needs.

Beginning in April 2006, I worked with Senator ROBERT BYRD to attach a provision to a Homeland Security Appropriations bill requiring DHS to produce a national strategy for IED preparedness.

After numerous delays, and a letter to Homeland Security Secretary

Chertoff from Senator BYRD and me, the National Security Council finally approved the document in late 2007.

Unfortunately, the strategy did not include adequate detail on how state and local input would contribute to the federal government's IED prevention and preparedness. It also failed to create an IED-specific grant program to ensure that State and local governments can carry out their responsibilities under the strategy.

My bill will address the threat of IEDs by:

First, statutorily establishing the Office for Bombing Prevention OBP within FEMA's Grant Programs Directorate.

Second, tbe bill establishes a Senior Advisory Committee, SAC, for IED Prevention and Response as a subcommittee under the Homeland Security Advisory Council.

Third, the bill requires State, Local, and Practicing Professional input in Advisory Committee Selection, giving voice to our First Responders who understand first-hand the needs of our communities.

Fourth, the legislation establishes a risk-based IED Prevention and Response Grant Program within the Homeland Security Department's Grant Program Directorate to specifically provide funds for equipment, training, and personnel in areas where DHS has identified shortfalls.

Last, my bill requires the Coast Guard to assess the preparedness of our Nation's Public Safety Dive Teams, PSDT, in the completion of Area Maritime Transportation Security and Facility Plans.

Mr. President, we can no longer afford to sit on our hands while many of our IED First Responders have to scrape by with antiquated equipment and training.

We have an opportunity to be proactive, to prepare for the unthinkable events that befell the people of London and Madrid, just a few short years ago.

Our Nation needs demonstrated capability in this vital area, and we in Congress need to lead. I urge my colleagues to join me in this endeavor.

By Mr. AKAKA:

S. 2961. A bill to amend title 38, United States Code, to enhance the refinancing of home loans by veterans; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce a bill that will offer veterans more options for refinancing their mortgages. My legislation would raise the guarantee on VA refinance loans and decrease equity requirements for refinancing to a VA loan. These provisions would allow more qualified veterans to refinance their home loans under the VA program.

At present, the maximum VA loan guaranty limit for all loans in excess of $144,000, except regular refinance loans, is equal to 25 percent of the Freddie Mac conforming loan limit for a single family home. Presently this is $104,250. This means lenders making loans up to $417,000 will receive at least a 25 percent guaranty, which is typically required to place the loan on the secondary market.

However, current law limits to $36,000 the guaranty that can be used for a regular refinance loan. This restriction means a refinance over $144,000 will result in a lender not receiving 25 percent backing from VA and probably not making the loan at all. This situation essentially precludes a veteran from being able to refinance his or her existing FHA or conventional loan into a VA guaranteed loan if the loan is greater than $144,000.

To assist veterans in overcoming this obstacle in refinancing, this legislation would increase the maximum guaranty limit for refinance loans to the same level as conventional loans—25 percent limit for a single family home. Importantly, this increase would make the maximum VA home loan guaranty equal across the board.

This bill will also increase the percentage of an existing loan that VA will refinance from the current maximum of 90 percent to 95 percent, thus allowing more veterans to use their VA benefit to refinance their mortgages. Many veterans do not have ten percent equity and thus are precluded from refinancing to a VA home loan. Given the anticipated number of non-VA adjustable mortgages that are approaching the reset time when payments are likely to increase, it seems prudent to facilitate veterans refinancing to VA loans.

In light of today's housing and home loan crises, these further refinancing options will help some veterans to bridge financial gaps and allow them to stay in their homes and escape possible foreclosures.

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. 2961

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

SECTION 1. ENHANCEMENT OF REFINANCING OF HOME LOANS BY VETERANS.

(a) INCLUSION OF REFINANCING LOANS AMONG LOANS SUBJECT TO GUARANTY MAXIMUM.—Section 3703(a)(1)(A)(i)(IV) of title 38, United States Code, is amended by inserting ''(5),'' after ''(3),''.

(b) INCREASE IN MAXIMUM PERCENTAGE OF LOAN-TO-VALUE OF REFINANCING LOANS SUBJECT TO GUARANTY.—Section 3710(b)(8) of such title is amended by striking ''90 percent'' and inserting ''95 percent''.

By Mr. BOND (for himself, Mrs. BOXER, Mr. STEVENS, Mr. OBAMA, Mr. DOMENICI, Mrs. DOLE, and Ms. MURKOWSKI):

S. 2963. A bill to improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BOND. Mr. President, there is an issue that has been festering in our military ranks for quite some time that we must address now.

America's warriors voluntarily leave the comfort of their homes and families to serve the greater good under very difficult conditions. They are fighting an incredibly complex battle on an asymmetric battlefield, against an enemy that is not bound by rules of war or human decency. They are courageously protecting our freedoms—each and every day—against those who seek to do us harm. As the father of a two-tour Iraq War Veteran, this issue is very close to my heart, and should be at the forefront of the Senate's day-to-day business.

Many of our military service members bear the physical scars of war. Thanks to advances in modern medicine and the efforts of brilliant medical personnel in the field, many of our war-wounded are able to return to a relatively normal life. Our practice of compensating disabled veterans financially helps our heroes reintegrate and assume again civilian status.

A growing concern revolves around those soldiers, sailors, airmen and Marines who return home with invisible injuries, the psychological wounds of war that have had a huge impact on a large percentage of our military forces.

Post Traumatic Stress Disorder, PTSD, Traumatic Brain Injuries, TBI, are not quickly diagnosed because we cannot see them. But we know they exist, and they often manifest years later and wreak all sorts of havoc on our military, on our military families, and on our society.

The recently-released Rand Study and American Psychiatric Association studies acknowledge the issue and paint a bleak social and financial future. The question is: What are we doing to help these men and women? The answer now is: Not enough. There are simply not enough resources available to our combat veterans to deal adequately with the problem.

Today we are proposing legislation that will address this crisis. Our proposal will address both short- and long-term solutions for those suffering from PTSD and TBI. We will increase our troops' access to qualified behavioral-health specialists and increase the number of those specialists annually in an effort to treat our men and women and help them cope with their ailments.

My staff has worked closely with the VA on these proposals and our legislation has the support of the Iraq and Afghanistan Veterans' Association and Veterans for Common Sense.

First, our bill improves veterans' access to care by expanding the use of our Vet Centers. Currently, our Active, Guard, and Reserve military personnel do not have access to the VA's Vet Centers, community-based counseling

centers which are successfully providing mental health care to veterans.

An estimated 30 percent of troops return from combat suffering from Post Traumatic Stress Disorder, Traumatic Brain Injury, or other mental health problems. But there are grossly insufficient numbers of military behavioral health specialists to provide the care our troops need. Recent testimony from all military Surgeons General highlighted the shortage of mental health professionals service-wide.

This legislation will give our troops the same access to Vet Centers our veterans receive for mental health care, which not only opens the door to additional resources but also lightens the load on our currently over-tasked specialists. Additionally, the legislation will reduce the stigma associated with behavior disorders by allowing troops to seek treatment outside of conventional military channels.

We also propose to enhance the recruitment and training of Military Behavioral Health Specialists through a scholarship program that targets former service members or service members preparing to separate from the military.

This legislation, overseen by the Veterans Health Administration, will provide incentives for retiring or separating military personnel and veterans to pursue an education in the behavioral health field. Over time, that will alleviate the shortage of behavioral health specialists who serve our troops and veterans.

The estimated cost to recruit an additional 80 to 90 behavioral health specialists a year is $1.5—$2 million annually. This program would pay for itself if it were to save just one veteran from developing 100 percent service-connected PTSD.

We also propose extending the survivor benefits for Service Members who commit suicide and have a medical history of PTSD or TBI.

We know that mental-health issues often manifest long after the service member has left active duty. As a result, Congress has extended free health care to five years for recently-discharged veterans with any condition that may be related to their combat service.

Unfortunately, survivor benefits have not kept up with this logic. Current coverage for veterans who commit suicide does not take into account the time it takes for PTSD and TBI to manifest.

This legislation guarantees benefits for any Service Member who commits suicide within two years of separation or retirement from the military, provided they have a documented medical history of a combat-related mental-health condition, including PTSD or TBI.

The Service Member's survivor will be entitled to the same Social Security, Survivor Benefit Plan, Veteran's Affairs Benefits, and active duty burial benefits that they would have received had the Service Member died on their last day of active duty.

Our legislation also creates a grant program for non-profit organizations to provide support services to the families of our deceased Active, Guard, and Reserve Military personnel and Veterans.

The psychological impact associated with the loss of a loved one in a combat zone is tremendous. Unfortunately, there are not adequate numbers of military Casualty Assistance Officers to serve surviving families. While norofit organizations have professional staff that provide long-term and peer-based emotional support, Department of Defense Casualty Assistance Officers are only temporarily detailed to these duties and often are unfamiliar with the regulations or the emotional needs of surviving families.

This legislation establishes a competitive federal grant program for non-profit support organizations to provide vital support services to the surviving families of deceased military personnel.

Next, our legislation will ensure the fair treatment and care of all of our military personnel, including those whose discharges may have been caused by combat-related mental-health condition, including Post Traumatic Stress Disorder or Traumatic Brain Injury.

Many of those who are forced to leave the military because of performance issues such as substance abuse or anger problems have underlying mental health conditions such as TBI or PTSD that are not being properly diagnosed.

In many cases the military has inappropriately discharged these veterans, and they subsequently lose access to VA care and other benefits.

No veteran that has served this nation in combat should be denied the benefits they earned on the battlefield. This provision allows the VA to screen the veteran's discharge, and, if the veteran is found to have been improperly diagnosed, to take action to correct the problem accordingly.

Specifically, this legislation would reinstate the provision repealed from the law in 1996 giving the Vet Centers the authority to help the new generation of war veterans to resolve any problems presented with the character of their discharges.

Finally, our legislation will better prepare our troops for combat through the creation of a pilot program at Ft. Leonard Wood, Missouri and Ft. Carson, Colorado. We will provide comprehensive training to educate U.S. military personnel on Post Traumatic Stress Disorder—how to prevent it, how to recognize it when it occurs, and what to do about it when it happens. We hope to build resiliency, enhance performance, and mitigate stress among the troops.

The rise in PTSD cases demands a new approach to preparing U.S. military personnel and their families for the stresses associated with combat.

The pilot program is designed to enhance the individual's neurophysiological understanding of stress and trauma resolution and to equip them with performance-enhancing skills drawn from both the military special-operations community and the elite sports world.

The program will train and support an Army Brigade Combat Team and their families at all stages of a soldier's tour: pre-deployment, mid-deployment and post-deployment.

Addressing PTSD head on through self-awareness training will teach military personnel to cope better with combat-related issues and reduce the need and cost for long-term treatment.

The long-term effects of untreated mental illness are severe: drug and alcohol abuse, job and marital problems, even suicide.

We can prevent much of this unfortunate legacy by prompt and effective treatment when our troops come home.

We are all the beneficiaries of the sacrifices of others. Our responsibility is to continue to improve the ways in which we support our troops and their families.

They do not take our freedom for granted; we should not take their sacrifices for granted.

I ask my colleagues on both sides of the aisle to support these proposals.

By Mr. AKAKA:

S. 2969. A bill to amend title 38, United States Code, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health-care professionals, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I am introducing legislation to address personnel issues in the Department of Veterans Affairs. This legislation, proposed Veterans' Medical Personnel Recruitment and Retention Act of 2008, would help ensure that VA has the workforce necessary to serve America's veterans most effectively.

Health care providers are the backbone of the VA system. Yet today, the Department faces a shortage of these professionals. Around the country, too many facilities are understaffed, at the cost of services for veterans. A recent report by the Partnership for Public Service gave the Veterans Health Administration poor marks for pay and benefits, and for family support. VHA also rated poorly among younger employees. To be the health care employer of choice, VA must be able to offer competitive salaries, work schedules, and benefits.

As Chairman of the Committee on Veterans' Affairs, I held a hearing on April 9, 2008, that focused on personnel issues within the VA health care system. We heard detailed testimony from VA administrators and health care providers. Their testimony outlined the challenges VA faces, and suggested possible solutions.

This legislation would benefit a wide range of positions within VA. Here are

some of the challenges VA faces, and the solutions I propose.

Local labor markets for health care providers vary widely, and VA must be better prepared to compete in every market. Locality pay surveys are a crucial tool in this effort. However, a recent GAO report on nurse anesthetists revealed a locality pay system that is inconsistent and often dysfunctional. The bill I am introducing would make implementation of locality pay surveys more effective by requiring additional training on proper implementation, and improving transparency to allow for better oversight.

This legislation would also encourage retention of experienced professionals by removing salary offsets for retired employees who choose to return to work at VA. In the coming years, a significant portion of the VA workforce will reach the age of retirement. Eliminating the salary offset by the amount of an employee's retirement annuity would encourage these experienced professionals to return to VA.

Education benefits are often among the chief advantages of employment at VA, and I believe these benefits can be used for an even greater effect. VA has extensive programs to encourage further education within their workforce, and to provide financial assistance for employees with educational debt. This legislation would increase yearly benefit limits on the Education Debt Reduction Program—EDRP—and would broaden the goals of that program to include retention as well as recruitment. In so doing, the EDRP would be made available to both long-time VA employees and new hires. It would also reauthorize the Health Professionals Scholarship Program, and would broaden eligibility to a wider range of health professions.

Further, to make VA more attractive to clinical researchers, this legislation would provide VA with authorities similar to the Loan Repayment Program of the National Health Service Corps. VA would be authorized to use funds from medical services appropriations to help researchers in need of financial assistance to payoff their education loans. This program would compliment EDRP, which is not available to researchers.

In recent years, VA has been challenged to retain top administrators, especially those who have spent their careers at VA. Their expert knowledge is indispensable to the effective management of the VA health care system. However, given the high rates of compensation available outside of VA, retention of these professionals is often difficult. This legislation would provide VA with the authority to pay national administrators additional compensation so as to better compete with the private sector. It would also give VA the authority to increase, under limited circumstances, compensation for pharmacists, doctors, and dentists, in order for VA to be more competitive in local labor markets.

VA faces many challenges in recruiting and retaining nurses. I have worked with VA administrators and nurses to develop solutions to these challenges. This legislation would give VA more tools to attract and keep these employees.

Alternative work schedules are now commonly available in other health care systems. At VA, part-time and alternative work schedules are under-utilized, and as a result, VA loses prospective hires and damages employee morale. This legislation would clarify alternative work schedule and weekend duty rules. By making these schedules easier to implement, it is my hope that VA will expand their use.

This bill would also make it easier for VA to hire and retain part-time nurses by limiting probationary periods and expanding eligibility for overtime pay. For nurses who transition from full-time to part-time, this legislation would eliminate the probationary period they are now required to serve. This provision would be extremely helpful in encouraging experienced nurses to extend their careers at VA beyond the customary age of retirement.

In many locations, VA cannot compete with other health care systems for many nursing positions, particularly certified registered nurse anesthetists—CRNAs—and licensed practical and vocational nurses. A recent GAO report on CRNAs in VA noted that VA spends thousands of dollars on contract nurses to cover staffing gaps. The use of contract nurses, while appropriate in some situations, is not a permanent solution to the long-term staffing shortfall. The bill I am introducing would raise or eliminate pay caps currently placed on these difficult-to-fill positions. These provisions are derived directly from testimony the Committee heard from VA nurses and administrators at the April 9, 2008, hearing.

This legislation would also clarify rules about emergency duty for VA nurses. The use of emergency mandatory overtime has been an issue in many VA facilities, and in other health care systems. I believe this legislation provides a reasonable solution. By standardizing the definition of ''emergency,'' it would facilitate more consistent and equitable use of emergency mandatory overtime.

I believe that this legislation will give VA the tools it needs to recruit and retain the best health care professionals in the Nation. I also anticipate that it will improve employee morale, as well as improving transparency and oversight. As we have heard many times, VA faces a looming retirement crisis. The solutions proposed in this legislation seek to address these challenges.

I urge my colleagues to support the proposed Veterans' Medical Personnel Recruitment and Retention Act of 2008.

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. 2969

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 ''Veterans' Medical Personnel Recruitment and Retention Act of 2008''.

SEC. 2. ENHANCEMENT OF AUTHORITIES FOR RETENTION OF MEDICAL PROFESSIONALS.

(a) SECRETARIAL AUTHORITY TO EXTEND TITLE 38 STATUS TO ADDITIONAL POSITIONS.—

(1) IN GENERAL.—Paragraph (3) of section 7401 of title 38, United States Code, is amended by striking ''and blind rehabilitation outpatient specialists.'' and inserting the following: ''blind rehabilitation outpatient specialists, and such other classes of health care occupations as the Secretary considers necessary for the recruitment and retention needs of the Department subject to the following requirements:

''(A) Not later than 45 days before the Secretary appoints any personnel for a class of health care occupations that is not specifically listed in this paragraph, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate, the Committee on Veterans' Affairs of the House of Representatives, and the Office of Management and Budget notice of such appointment.

''(B) Before submitting notice under subparagraph (A), the Secretary shall solicit comments from any labor organization representing employees in such class and include such comments in such notice.''.

(2) APPOINTMENT OF NURSE ASSISTANTS.—Such paragraph is further amended by inserting ''nurse assistants,'' after ''licensed practical or vocational nurses,''.

(b) PROBATIONARY PERIODS FOR NURSES.—Section 7403(b) of such title is amended—

(1) in paragraph (1), by striking ''Appointments'' and inserting ''Except as otherwise provided in this subsection, appointments'';

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following new paragraphs:

''(2) An appointment of a nurse under this chapter, whether on a full-time basis or a part-time basis, shall be for a probationary period ending upon the completion by the person so appointed of 4,180 hours of work pursuant to such appointment.

''(3) An appointment described in subsection (a) on a part-time basis of a person who has previously served on a full-time basis for the probationary period for the position concerned shall be without a probationary period.''.

(c) PROHIBITION ON TEMPORARY PART-TIME NURSE APPOINTMENTS IN EXCESS OF 4,180 HOURS.—Section 7405(f)(2) of such title is amended by inserting after ''year'' the following: '', except that a part-time appointment of a nurse shall not exceed 4,180 hours''.

(d) WAIVER OF OFFSET FROM PAY FOR CERTAIN REEMPLOYED ANNUITANTS.—

(1) IN GENERAL.—Section 7405 of such title is amended by adding at the end the following:

''(g)(1) The Secretary may waive the application of sections 8344 and 8468 of title 5 (relating to annuities and pay on reemployment) or any other similar provision of law under a Government retirement system on a case-by-case basis for an annuitant reemployed on a temporary basis under the authority of subsection (a) in a position described under paragraph (1) of that subsection.

''(2) An annuitant to whom a waiver under paragraph (1) is in effect shall not be considered an employee for purposes of any Government retirement system.

''(3) An annuitant to whom a waiver under paragraph (1) is in effect shall be subject to the provisions of chapter 71 of title 5 (including all labor authority and labor representative collective bargaining agreements) applicable to the position to which appointed.

''(4) In this subsection:

''(A) The term 'annuitant' means an annuitant under a Government retirement system.

''(B) The term 'employee' has the meaning under section 2105 of title 5.

''(C) The term 'Government retirement system' means a retirement system established by law for employees of the Government of the United States.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is six months after the date of the enactment of this Act, and shall apply to pay periods beginning on or after such effective date.

(e) MINIMUM RATE OF BASIC PAY FOR APPOINTEES TO THE OFFICE OF THE UNDER SECRETARY FOR HEALTH SET TO LOWEST RATE OF BASIC PAY PAYABLE FOR A SENIOR EXECUTIVE SERVICE POSITION.—

(1) IN GENERAL.—Section 7404(a) of such title is amended—

(A) by striking ''The annual'' and inserting ''(1) The annual'';

(B) by striking ''The pay'' and inserting the following:

''(2) The pay'';

(C) by striking ''under the preceding sentence'' and inserting ''under paragraph (1)''; and

(D) by adding at the end the following:

''(3) The minimum rate of basic pay for a position to which an Executive order applies under paragraph (1) and is not described by paragraph (2) may not be less than the lowest rate of basic pay payable for a Senior Executive Service position under section 5382 of title 5.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the first day of the first pay period beginning after the day that is 180 days after the date of the enactment of this Act.

(f) COMPARABILITY PAY PROGRAM FOR APPOINTEES TO THE OFFICE OF THE UNDER SECRETARY FOR HEALTH.—Section 7410 of such title is amended—

(1) by striking ''The Secretary may'' and inserting ''(a) IN GENERAL.—The Secretary may''; and

(2) by adding at the end the following new subsection:

''(b) COMPARABILITY PAY FOR APPOINTEES TO THE OFFICE OF THE UNDER SECRETARY FOR HEALTH.—(1) The Secretary may authorize the Under Secretary for Health to provide comparability pay of not more than $100,000 per year to individuals of the Veterans Health Administration appointed under section 7306 of this title who are not physicians or dentists to achieve annual pay levels for such individuals that are comparable with annual pay levels of individuals with similar positions in the private sector.

''(2) Comparability pay under paragraph (1) for an individual is in addition to all other pay, awards, and performance bonuses paid to such individual under this title.

''(3) Except as provided in paragraph (4), comparability pay under paragraph (1) for an individual shall be considered basic pay for all purposes, including retirement benefits under chapters 83 and 84 of title 5, and other benefits.

''(4) Comparability pay under paragraph (1) for an individual shall not be considered basic pay for purposes of adverse actions under subchapter V of this chapter.

''(5) Comparability pay under paragraph (1) may not be awarded to an individual in an amount that would result in an aggregate amount of pay (including bonuses and awards) received by such individual in a year under this title that is greater than the annual pay of the President.''.

(g) SPECIAL INCENTIVE PAY FOR DEPARTMENT PHARMACIST EXECUTIVES.—Section 7410 of such title, as amended by subsection (f), is further amended by adding at the end the following new subsection:

''(c) SPECIAL INCENTIVE PAY FOR DEPARTMENT PHARMACIST EXECUTIVES.—(1) In order to recruit and retain highly qualified Department pharmacist executives, the Secretary may authorize the Under Secretary for Health to pay special incentive pay of not more than $40,000 per year to an individual of the Veterans Health Administration who is a pharmacist executive.

''(2) In determining whether and how much special pay to provide to such individual, the Under Secretary shall consider the following:

''(A) The grade and step of the position of the individual.

''(B) The scope and complexity of the position of the individual.

''(C) The personal qualifications of the individual.

''(D) The characteristics of the labor market concerned.

''(E) Such other factors as the Secretary considers appropriate.

''(3) Special incentive pay under paragraph (1) for an individual is in addition to all other pay (including basic pay) and allowances to which the individual is entitled.

''(4) Except as provided in paragraph (5), special incentive pay under paragraph (1) for an individual shall be considered basic pay for all purposes, including retirement benefits under chapters 83 and 84 of title 5, and other benefits.

''(5) Special incentive pay under paragraph (1) for an individual shall not be considered basic pay for purposes of adverse actions under subchapter V of this chapter.

''(6) Special incentive pay under paragraph (1) may not be awarded to an individual in an amount that would result in an aggregate amount of pay (including bonuses and awards) received by such individual in a year under this title that is greater than the annual pay of the President.''.

(h) PAY FOR PHYSICIANS AND DENTISTS.—

(1) NON-FOREIGN COST OF LIVING ADJUSTMENT ALLOWANCE.—Section 7431(b) of such title is amended by adding at the end the following:

''(5) The non-foreign cost of living adjustment allowance authorized under section 5941 of title 5 for physicians and dentists whose pay is set under this section shall be determined as a percentage of base pay only.''.

(2) MARKET PAY DETERMINATIONS FOR PHYSICIANS AND DENTISTS IN ADMINISTRATIVE OR EXECUTIVE LEADERSHIP POSITIONS.—Section 7431(c)(4)(B)(i) of such title is amended by adding at the end the following: ''The Secretary may exempt physicians and dentists occupying administrative or executive leadership positions from the requirements of the previous sentence.''.

(3) EXCEPTION TO PROHIBITION ON REDUCTION OF MARKET PAY.—Section 7431(c)(7) of such title is amended by striking ''concerned.'' and inserting ''concerned, unless there is a change in board certification or reduction of privileges.''.

(i) ADJUSTMENT OF PAY CAP FOR NURSES.—Section 7451(c)(2) of such title is amended by striking ''title 5'' and inserting ''title 5 or the level of GS–15 as prescribed under section 5332 of such title, whichever is greater''.

(j) EXEMPTION FOR CERTIFIED REGISTERED NURSE ANESTHETISTS FROM LIMITATION ON AUTHORIZED COMPETITIVE PAY.—Section 7451(c)(2) of such title is further amended by adding at the end the following new sentence: ''The maximum rate of basic pay for a grade for the position of certified registered nurse anesthetist pursuant to an adjustment under subsection (d) may exceed the maximum rate otherwise provided in the preceding sentence.''.

(k) LOCALITY PAY SCALE COMPUTATIONS.—

(1) EDUCATION, TRAINING, AND SUPPORT FOR FACILITY DIRECTORS IN WAGE SURVEYS.—Section 7451(d)(3) of such title is amended by adding at the end the following new subparagraph:

''(F) The Under Secretary for Health shall provide appropriate education, training, and support to directors of Department healthcare facilities in the conduct and use of surveys under this paragraph.''.

(2) INFORMATION ON METHODOLOGY USED IN WAGE SURVEYS.—Section 7451(e)(4) of such title is amended—

(A) by redesignating subparagraph (D) as subparagraph (E); and

(B) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) In any case in which the director conducts such a wage survey during the period covered by the report and makes adjustment in rates of basic pay applicable to one or more covered positions at the facility, information on the methodology used in making such adjustment or adjustments.''.

(3) DISCLOSURE OF INFORMATION TO PERSONS IN COVERED POSITIONS.—Section 7451(e) of such title is further amended by adding at the end the following new paragraph:

''(6)(A) Upon the request of an individual described in subparagraph (B) for a report provided under paragraph (4) with respect to a Department health-care facility, the Under Secretary for Health or the director of such facility shall provide to the individual the most current report for such facility provided under such paragraph.

''(B) An individual described in this subparagraph is—

''(i) an individual in a covered position at a Department health-care facility; or

''(ii) a representative of the labor organization representing that individual who is designated by that individual to make the request.''.

(l) INCREASED LIMITATION ON SPECIAL PAY FOR NURSE EXECUTIVES.—Section 7452(g)(2) of such title is amended by striking ''$25,000'' and inserting ''$100,000''.

(m) ELIGIBILITY OF PART-TIME NURSES FOR ADDITIONAL NURSE PAY.—

(1) IN GENERAL.—Section 7453 of such title is amended—

(A) in subsection (a), by striking ''a nurse'' and inserting ''a full-time nurse or part-time nurse'';

(B) in subsection (b)—

(i) in the first sentence—

(I) by striking ''on a tour of duty'';

(II) by striking ''on such tour''; and

(III) by striking ''of such tour'' and inserting ''of such service''; and

(ii) in the second sentence, by striking ''of such tour'' and inserting ''of such service'';

(C) in subsection (c)—

(i) by striking ''on a tour of duty''; and

(ii) by striking ''on such tour''; and

(D) in subsection (e)—

(i) in paragraph (1), by striking ''eight hours in a day'' and inserting ''eight consecutive hours''; and

(ii) in paragraph (5)(A), by striking ''tour of duty'' and inserting ''period of service''.

(2) EXCLUSION OF APPLICATION OF ADDITIONAL NURSE PAY PROVISIONS TO CERTAIN ADDITIONAL EMPLOYEES.—Section 7454(b)(3) of such title is amended to read as follows:

''(3) Employees appointed under section 7408 of this title performing service on a tour

of duty, any part of which is within the period commencing at midnight Friday and ending at midnight Sunday, shall receive additional pay in addition to the rate of basic pay provided such employees for each hour of service on such tour at a rate equal to 25 percent of such employee's hourly rate of basic pay.''.

(n) EXEMPTION OF ADDITIONAL NURSE POSITIONS FROM LIMITATION ON INCREASE IN RATES OF BASIC PAY.—Section 7455(c)(1) of such title is amended by inserting after ''nurse anesthetists,'' the following: ''licensed practical nurses, licensed vocational nurses, and nursing positions otherwise covered by title 5,''.

SEC. 3. LIMITATIONS ON OVERTIME DUTY, WEEKEND DUTY, AND ALTERNATIVE WORK SCHEDULES FOR NURSES.

(a) OVERTIME DUTY.—

(1) IN GENERAL.—Subchapter IV of chapter 74 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7459. Nurses: special rules for overtime duty

''(a) LIMITATION.—Except as provided in subsection (c), the Secretary may not require a nurse to work more than 40 hours (or 24 hours if such nurse is covered under section 7456) in an administrative work week or more than eight consecutive hours (or 12 hours if such nurse is covered under section 7456 or 7456A).

''(b) VOLUNTARY OVERTIME.—(1) A nurse may on a voluntary basis elect to work hours otherwise prohibited by subsection (a).

''(2) The refusal of a nurse to work hours prohibited by subsection (a) shall not be grounds to discriminate (within the meaning of section 704(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–3(a))) against the nurse, dismissal or discharge of the nurse, or any other adverse personnel action against the nurse.

''(c) OVERTIME UNDER EMERGENCY CIRCUMSTANCES.—(1) Subject to paragraph (2), the Secretary may require a nurse to work hours otherwise prohibited by subsection (a) if—

''(A) the work is a consequence of an emergency that could not have been reasonably anticipated;

''(B) the emergency is non-recurring and is not caused by or aggravated by the inattention of the Secretary or lack of reasonable contingency planning by the Secretary;

''(C) the Secretary has exhausted all good faith, reasonable attempts to obtain voluntary workers;

''(D) the nurse has critical skills and expertise that are required for the work; and

''(E) the work involves work for which the standard of care for a patient assignment requires continuity of care through completion of a case, treatment, or procedure.

''(2) A nurse may not be required to work hours under this subsection after the requirement for a direct role by the nurse in responding to medical needs resulting from the emergency ends.

''(d) NURSE DEFINED.—In this section, the term 'nurse' includes the following;

''(1) A registered nurse.

''(2) A licensed practical or vocational nurse.

''(3) A nurse assistant appointed under this chapter or title 5.

''(4) Any other nurse position designated by the Secretary for purposes of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of such title is amended by inserting after the item relating to section 7458 the following new item:

''7459. Nurses: special rules for overtime duty.''.

(b) WEEKEND DUTY.—Section 7456 of such title is amended—

(1) in subsection (a) by striking ''regularly scheduled 12-hour tour of duty'' and inserting ''scheduled 12-hour periods of service'';

(2) in subsection (b)—

(A) in paragraph (2), by striking ''service performed as part of a regularly scheduled 12-hour tour of duty'' and inserting ''any service performed''; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''regularly scheduled two 12-hour tours of duty'' and inserting ''scheduled 12-hour period of service'';

(ii) in subparagraph (B), by striking ''regularly scheduled two 12-hour tour of duty'' and inserting ''scheduled 12-hour period of service''; and

(iii) in subparagraph (C), by striking ''regularly scheduled two 12-hour tours of duty'' and inserting ''scheduled two 12-hour periods of service'';

(3) by striking subsection (c); and

(4) by redesignating subsection (d) as (c).

(c) ALTERNATE WORK SCHEDULES.—

(1) IN GENERAL.—Section 7456A(b)(1)(A) of such title is amended by striking ''three regularly scheduled'' and all that follows through the period at the end and inserting ''six regularly scheduled 12-hour periods of service within a pay period shall be considered for all purposes to have worked a full 80-hour pay period.''.

(2) CONFORMING AMENDMENTS.—Section 7456A(b) of such title is amended—

(A) in the subsection heading, by striking ''36/40'' and inserting ''72/80'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''40-hour basic work week'' and inserting ''80-hour pay period'';

(ii) in subparagraph (B), by striking ''regularly scheduled 36-hour tour of duty within the work week'' and inserting ''scheduled 72-hour period of service within the bi-weekly pay period'';

(iii) in subparagraph (C)—

(I) in clause (i), by striking ''regularly scheduled 36-hour tour of duty within an administrative work week'' and inserting ''scheduled 72-hour period of service within an administrative pay period'';

(II) in clause (ii), by striking ''regularly scheduled 12-hour tour of duty'' and inserting ''scheduled 12-hour period of service''; and

(III) in clause (iii), by striking ''regularly scheduled 36-hour tour of duty work week'' and inserting ''scheduled 72-hour period of service pay period''; and

(iv) in subparagraph (D), by striking ''regularly scheduled 12-hour tour of duty'' and inserting ''scheduled 12-hour period of service''; and

(C) in paragraph (3), by striking ''regularly scheduled 12-hour tour of duty'' and inserting ''scheduled 12-hour period of service''.

SEC. 4. IMPROVEMENTS TO CERTAIN EDUCATIONAL ASSISTANCE PROGRAMS.

(a) REINSTATEMENT OF HEALTH PROFESSIONALS EDUCATIONAL ASSISTANCE SCHOLARSHIP PROGRAM.—

(1) IN GENERAL.—Section 7618 of title 38, United States Code, is amended by striking ''December 31, 1998'' and inserting ''December 31, 2013''.

(2) EXPANSION OF ELIGIBILITY REQUIREMENTS.—Paragraph (2) of section 7612(b) of such title is amended by striking ''(under section'' and all that follows through the period at the end and inserting the following: ''as an appointee under paragraph (1) or (3) of section 7401 of this title.''.

(b) IMPROVEMENTS TO EDUCATION DEBT REDUCTION PROGRAM.—

(1) INCLUSION OF EMPLOYEE RETENTION AS PURPOSE OF PROGRAM.—Section 7681(a)(2) of such title is amended by inserting ''and retention'' after ''recruitment'' the first time it appears.

(2) ELIGIBILITY.—Section 7682 of such title is amended—

(A) in subsection (a)(1), by striking ''a recently appointed'' and inserting ''an''; and

(B) by striking subsection (c).

(3) MAXIMUM AMOUNTS OF ASSISTANCE.—Section 7683(d)(1) of such title is amended—

(A) by striking ''$44,000'' and inserting ''$60,000''; and

(B) by striking ''$10,000'' and inserting ''$12,000''.

(c) LOAN REPAYMENT PROGRAM FOR CLINICAL RESEARCHERS FROM DISADVANTAGED BACKGROUNDS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may, in consultation with the Secretary of Health and Human Services, utilize the authorities available in section 487E of the Public Health Service Act (42 U.S.C. 288–5) for the repayment of the principal and interest of educational loans of appropriately qualified health professionals who are from disadvantaged backgrounds in order to secure clinical research by such professionals for the Veterans Health Administration.

(2) LIMITATIONS.—The exercise by the Secretary of Veterans Affairs of the authorities referred to in paragraph (1) shall be subject to the conditions and limitations specified in paragraphs (2) and (3) of section 487E(a) of the Public Health Service Act (42 U.S.C. 288–5(2) and (3)).

(3) FUNDING.—Amounts for the repayment of principal and interest of educational loans under this subsection shall be derived from amounts available to the Secretary of Veterans for the Veterans Health Administration for Medical Services.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 544—DESIGNATING MAY 5 THROUGH 9, 2008, AS NATIONAL SUBSTITUTE TEACHER RECOGNITION WEEK

Mr. HATCH (for himself, Mrs. CLINTON, Mr. COCHRAN, and Mr. SANDERS) submitted the following resolution; which was considered and agreed to:

S. RES. 544

Whereas, on average, as much as 1 full year of a child's elementary and secondary education is taught by substitute teachers;

Whereas, on any given day in the United States, more than 270,000 classes are taught by substitute teachers;

Whereas formal training of substitute teachers has been shown to improve the quality of education, lower school district liability, reduce the number of student and faculty complaints, and increase retention rates of substitute teachers;

Whereas a strong, effective system of education for all children and youth is essential to our Nation's continued strength and prosperity;

Whereas much of a child's growth and progress can be attributed to the efforts of dedicated teachers and substitute teachers who are entrusted with the child's educational development;

Whereas substitute teachers play a vital role in maintaining continuity of instruction and a positive learning environment in the absence of a permanent classroom teacher; and

Whereas substitute teachers should be recognized for their dedication and commitment: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 5 through 9, 2008, as the 7th annual National Substitute Teacher Recognition Week;

(2) recognizes the important and vital role substitute teachers play in a child's education; and

(3) encourages educational institutions to observe the week with appropriate events and activities.

SENATE RESOLUTION 545—HONORING THE RECIPIENTS OF THE EL DORADO PROMISE SCHOLARSHIP

Mr. PRYOR (for himself and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 545

Whereas the 2000 United States Census determined that El Dorado, Arkansas, had a significantly lower percentage of residents with degrees from institutions of higher education and a significantly higher percentage of families who fell below the poverty line than the national average;

Whereas it is increasingly important for students to obtain a college education in order to keep up with the demands of the modern workforce and global economy;

Whereas the El Dorado Promise scholarship is a tuition scholarship, created and funded by Murphy Oil Corporation, which enables all eligible high school graduates of the El Dorado Public School District in El Dorado, Arkansas, to attend any accredited 2- or 4-year, public or private, college or university;

Whereas school enrollment in the El Dorado Public School District has significantly increased since the El Dorado Promise scholarship program was established, despite a 15-year trend of decreasing enrollment;

Whereas the El Dorado Promise scholarship program increased the number of El Dorado High School students who chose to attend college after graduation by 20 percent; and

Whereas, on April 30, 2008, El Dorado High School students who receive El Dorado Promise and other academic scholarships sign academic letters of intent for the colleges they will be attending upon graduation: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the recipients of the El Dorado Promise scholarship for choosing to further their education;

(2) recognizes April 30, 2008, as the second Academic Signing Day for graduating El Dorado High School students receiving El Dorado Promise and other academic scholarships;

(3) acknowledges that the El Dorado Promise scholarship program is important for the revitalization of southern Arkansas; and

(4) recognizes Murphy Oil Corporation for its efforts to ensure that children from southern Arkansas, who might otherwise struggle in financing a college education, are able to attend college.

SENATE RESOLUTION 546—DESIGNATING MAY 2008 AS ''NATIONAL PHYSICAL FITNESS AND SPORTS MONTH'' AND THE WEEK OF MAY 1 THROUGH MAY 7, AS ''NATIONAL PHYSICAL EDUCATION AND SPORTS WEEK''

Mr. THUNE (for himself and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 546

Whereas regular physical activity helps increase endurance, strengthen bones and muscles, control weight, and reduce anxiety and stress, and may improve blood pressure and cholesterol levels;

Whereas about ⅔ of young people in the ninth through 12th grades do not engage in recommended levels of physical activity, and daily participation in high school physical education classes has declined over the last 7 years;

Whereas 39 percent of adults report they are not physically active, and only 3 in 10 adults engage in the recommended amount of physical activity;

Whereas, in 2004, more than 9,000,000 children and adolescents in the United States between the ages of 6 and 19 were considered overweight;

Whereas obesity and inactivity are 2 major risk factors for developing type 2 diabetes, a disease that affects millions of people in the United States;

Whereas many chronic diseases may be prevented by living a healthy lifestyle that includes regular physical activity and a balanced diet;

Whereas, according to the Centers for Disease Control and Prevention, the American Heart Association, and the American College of Sports Medicine, minimum physical activity for adults consists of moderate activity for 30 minutes 5 days a week or vigorous activity for 20 minutes 3 days a week;

Whereas, according to a 1996 report by the Surgeon General, positive experiences with physical activity at a young age help to lay the foundation for being active throughout life;

Whereas the President's Council on Physical Fitness and Sports promotes regular physical activity to achieve and maintain good health and to prevent chronic disease and offers motivational tools through the President's Challenge program for people of all ages to track physical activity; and

Whereas the month of May has been recognized since 1983 as National Physical Fitness and Sports Month to encourage physical fitness and activity and to promote health in children and adults of all ages: Now, therefore, be it

Resolved, That the Senate—

(1) designates—

(A) May 2008 as ''National Physical Fitness and Sports Month''; and

(B) the week of May 1 through May 7, 2008, as ''National Physical Education and Sports Week''; and

(2) encourages the people of the United States to observe the month and the week with appropriate ceremonies and activities.

SENATE RESOLUTION 547—DESIGNATING THE WEEK OF MAY 4 THROUGH MAY 10, 2008 AS ''NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK'' AND MAY 7, 2008, AS ''OCCUPATIONAL SAFETY AND HEALTH PROFESSIONALS DAY''

Mr. DURBIN (for himself, Mr. ISAKSON, Mr. KENNEDY, and Mr. OBAMA) submitted the following resolution; which was considered and agreed to:

S. RES. 547

Whereas every year more than 5,700 people die from job-related injuries and 4,400,000 more incur occupational injuries and illnesses in the United States;

Whereas transportation crashes continue to be the number 1 cause of on-the-job deaths, and overall in 2005 there were 6,159,000 transportation accidents resulting in 43,433 deaths, 2,700,000 injuries, and an estimated $230,600,000,000 in tangible costs;

Whereas businesses spend $170,000,000,000 a year on costs associated with occupational injuries and illnesses;

Whereas it is imperative that employers, employees, and the general public are aware of the importance of preventing illness and injury in the workplace–wherever that workplace may be, such as on the road, in the air, the classroom, the store, the plant, or the office;

Whereas each year the families, friends, and co-workers of victims of on-the-job accidents suffer intangible losses and grief, especially when proper safety measures could have prevented worker injury or death;

Whereas everyday millions of people go to and return home from work safely due, in part, to the efforts of occupational safety, health, and environmental practitioners who work day in and day out identifying hazards and implementing safety and health advances across industries and workplaces, aimed at eliminating workplace fatalities, injuries, and illnesses;

Whereas our society has long recognized that a safe and healthy workplace positively impacts employee morale, health, and productivity;

Whereas the purpose of the North American Occupational Safety and Health Week (NAOSH) is to raise awareness among employees, employers, and the general public of the benefits of investing in occupational safety and health;

Whereas the more than 32,000 members of the American Society of Safety Engineers, along with the more than 150,000 combined members of the American Association of Occupational Health Nurses, the American Heart Association, and the National Association of Homebuilders, will be mobilizing to encourage safe practices, and increase the quality of life for employees and employers;

Whereas the theme of NAOSH Week 2008 is ''safety is good business'', highlighting that businesses operate more efficiently and are more respected when they use effective safety and health management systems; and

Whereas, on May 7, 2008, occupational safety and health professionals will be recognized during the 3rd annual Occupational Safety and Health Professionals Day for the work they do to keep people safe at work: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 4 through 10, 2008, as ''North American Occupational Safety and Health Week'';

(2) designates May 7, 2008, as ''Occupational Safety and Health Professionals Day'';

(3) commends occupational safety, health, and environmental practitioners for their ongoing commitment to protecting people, property, and the environment;

(4) commends those businesses that encourage a strong safety culture and incorporate occupational safety and health into their business strategies;

(5) encourages all industries, organizations, community leaders, employers, and employees to join with the American Society of Safety Engineers to support activities aimed at increasing awareness of the importance of preventing illness, injury, and death in the workplace, during the week of May 4 through May 10, 2008, and throughout the year; and

(6) urges all people of the United States to continue to act responsibly and to be safe at work so that the millions of people who go to work return home safely every day to their families and friends.

SENATE RESOLUTION 548—RECOGNIZING THE ACCOMPLISHMENTS OF THE MEMBERS AND ALUMNI OF AMERICORPS AND THE CONTRIBUTIONS OF AMERICORPS TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mr. DODD (for himself, Mr. COCHRAN, Mr. KENNEDY, Ms. MURKOWSKI, Ms. MIKULSKI, Mr. MCCAIN, Mrs. CLINTON, Ms. SNOWE, Mrs. MURRAY, Mr. WICKER, Mr. OBAMA, Mr. SMITH, Mr. BROWN, Mr. DURBIN, Mr. ROCKEFELLER, Mr. FEINGOLD, Mr. BAYH, Mr. CASEY, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 548

Whereas, since the inception of the AmeriCorps national service program in 1994, AmeriCorps has proven to be highly effective at promoting the ethic of service and volunteering and engaging people in the United States in meeting a wide range of local needs;

Whereas, since 1994, more than $5,000,000,000 in AmeriCorps funds have been invested in nonprofit, community, educational, and faith-based groups, and those funds have led to the contribution of hundreds of millions of dollars of additional funds and in-kind donations from other sources;

Whereas, since 1994, approximately 542,000 people have taken the AmeriCorps pledge to ''get things done for America'' by becoming AmeriCorps members;

Whereas, each year, AmeriCorps provides opportunities for 75,000 people across the United States to give back in an intensive way to their districts, their States, and the Nation;

Whereas AmeriCorps members have served a total of more than 705,000,000 hours nationwide, helping to improve the lives of the Nation's most vulnerable citizens, protect the environment, contribute to public safety, respond to disasters, and strengthen the educational system of the United States;

Whereas, in 2007, AmeriCorps members recruited and supervised more than 1,700,000 community volunteers, demonstrating the value of AmeriCorps as a powerful force for encouraging people to become involved in volunteering;

Whereas, in 2007, AmeriCorps members served 4,100 nonprofit organizations, schools, and faith-based and community organizations;

Whereas AmeriCorps members nationwide, in return for their service, have earned nearly $1,430,000,000 to use to further their own educational advancement at the Nation's colleges and universities;

Whereas, after AmeriCorps members complete their terms of service, those members remain engaged in their communities as volunteers, teachers, and nonprofit professionals in exceptionally high levels; and

Whereas ''AmeriCorps Week'' is observed the week beginning May 11, 2008, and is an opportune time for the people of the United States to salute current and former AmeriCorps members for their powerful impact on the lives of people in the United States, to thank AmeriCorps's community partners for making the program possible, and to encourage more people in the United States to become involved in service and volunteering: Now, therefore, be it

Resolved, That the Senate—

(1) encourages the people of the United States to join in a national effort to salute AmeriCorps members and alumni and raise awareness about the importance of national and community service;

(2) acknowledges the significant accomplishments of the members, alumni, and community partners of AmeriCorps;

(3) recognizes the important contributions of AmeriCorps members and alumni to the lives of the people of the United States; and

(4) encourages people of all ages to consider opportunities to serve in AmeriCorps.

Mr. DODD. Mr. President, I rise today along with Senator COCHRAN and others to celebrate the achievements of the members and alumni of AmeriCorps and to recognize the week of May 11, 2008, as ''AmeriCorps Week.'' These young men and women have dedicated their time and efforts toward improving the lives of all Americans by protecting the environment, strengthening education, responding to disasters, and supporting public health and safety.

Since 1994, AmeriCorps has encouraged citizens to volunteer, serve, and address the unmet needs of our Nation. About 542,000 people have become AmeriCorps members and have pledged ''to get things done for America.'' These citizens have provided more than 705,000,000 hours of service, hard work, and dedication to improve our communities. In addition, since its inception, more than $5 billion of AmeriCorps funds have been invested back into our communities and have helped leverage hundreds of millions of dollars of additional funds and in-kind donations from external sources.

Last year, 75,000 AmeriCorps members were able to give back to this Nation, and those members recruited more than 1,700,000 community volunteers to join them in their mission. Their volunteers served in over 4,000 nonprofit organizations, schools, and faith-based and community organizations across the country.

In return for service, AmeriCorps members have earned more than $1.4 billion to go toward furthering their education, and after completing their service, many alumni remain engaged in their communities as volunteers, teachers, and nonprofit professionals.

In my home State of Connecticut, since AmeriCorps was created, more than 7,000 AmeriCorps members have served about 9.5 million hours and earned over $20 million toward their education. From my own experience as a Peace Corps member, I know it takes a tremendous amount of perseverance, commitment, and passion to serve, but I also know the emotional reward achieved in dedicating your time to help others. Emerson wrote, ''It is one of the most beautiful compensations of life that no man can sincerely try to help another without helping himself.'' It is my hope that all Americans take the opportunity to develop a deeper sense of community, a renewed sense of national purpose, and a shared experience of sacrifice to serve our country.

During this ''AmeriCorps Week,'' we must take the time to recognize, salute, and thank those Americans who have answered the call to serve by joining AmeriCorps; we must acknowledge the tremendous accomplishments and important contributions of the AmeriCorps members, alumni, and community partners; and, we must raise awareness about the importance of national and community service. Our collective imaginations, ideas, energy, and resolve are needed to solve our Nation's problems and rekindle our American community. I encourage citizens of all ages to consider serving in AmeriCorps and contributing their skills and talents to bettering this Nation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4635. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table.

SA 4636. Mr. REID proposed an amendment to the bill H.R. 2881, supra.

SA 4637. Mr. REID proposed an amendment to amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, supra.

SA 4638. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4639. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4627 proposed by Mr. ROCKEFELLER to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4640. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4641. Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. COCHRAN, Mr. CARDIN, Mr. CASEY, Mrs. CLINTON, Ms. COLLINS, Mr. CONRAD, Mr. ENZI, Mr. HAGEL, Mr. HARKIN, Mr. LEAHY, Mr. LEVIN, Mr. NELSON, of Nebraska, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. WICKER, Mr. JOHNSON, Mr. SPECTER, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4642. Mr. ROCKEFELLER proposed an amendment to amendment SA 4637 proposed by Mr. REID to the amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, supra.

SA 4643. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4644. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4645. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4646. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4647. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 4590 submitted by Mrs. MCCASKILL (for herself, Mr. SPECTER, Mr. OBAMA, and Mrs. CLINTON) and intended to be proposed to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4648. Mr. VITTER (for himself, Mr. CRAIG, Mr. SPECTER, Mr. THUNE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4649. Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 4582 submitted by Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, and Ms. CANTWELL) and intended to be proposed to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4650. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4651. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4652. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, supra; which was ordered to lie on the table.

SA 4653. Ms. CANTWELL (for Mr. REID) proposed an amendment to the resolution S. Res. 494, expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq.

TEXT OF AMENDMENTS

SA 4635. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, between lines 12 and 13, insert the following:

SEC. 520. STUDY OF EFFECT OF PROPOSED STRUCTURES NEAR AIRPORTS ON ONE ENGINE INOPERATIVE PROCEDURES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a study on the effect of buildings and other structures that are proposed to be built near airports on emergency procedures relating to aircraft that have one engine inoperative to determine if such buildings and structures are likely to—

(1) obstruct the flight of aircraft operating under one engine inoperative procedures; or

(2) result in delays in the movement of passengers through airports.

(b) REPORT.—

(1) IN GENERAL.—If the Administrator determines that buildings and other structures proposed to be built near airports are likely to cause an obstruction described in subsection (a)(1) or result in delays described in subsection (a)(2), the Administrator shall, not later than 180 days after the date of the enactment of this Act, submit to Congress a report on the results of the study required under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an assessment of the extent of any obstructions described in subsection (a)(1) and any delays described in subsection (a)(2);

(B) recommendations for addressing such obstructions and delays; and

(C) recommendations regarding whether the obstacle evaluation process for proposed development near airports should be revised to take into account the effect of development on emergency procedures relating to aircraft that have one engine inoperative.

SA 4636. Mr. REID proposed an amendment to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

The provision of this act shall become effective 2 days after enactment.

SA 4637. Mr. REID proposed an amendment to amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

In the amendment, strike ''2'' and insert ''1''.

SA 4638. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 68, strike line 23 and all that follows through page 69, line 2, and insert the following:

''(5)(A) There is established the position of Senior Vice President for the Next Generation Air Transportation System in the Air Traffic Organization of the Federal Aviation Administration, who shall be appointed by the Administrator of the Federal Aviation Administration and report to the Chief Operating Officer of the Federal Aviation Administration.

''(B) The Senior Vice President for the Next Generation Air Transportation System shall—

''(i) be the head of the Office; and

''(ii) be a voting member of the Federal Aviation Administration's Joint Resources Council and the Air Traffic Organization's Executive Council.'';

SA 4639. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4627 proposed by Mr. ROCKEFELLER to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 22, strike ''and''.

On page 32, line 25, strike the period and insert ''; and''.

On page 32, after line 25, insert the following:

(4) by adding at the end thereof the following:

''(3) A contract involving labor for carrying out an airport development project under a grant agreement under this subchapter must require that a preference be given to the use of small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 1632)) owned and controlled by disabled veterans.''.

SA 4640. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY BY ADMINISTRATOR OF AVIATION SECTOR GREENHOUSE GAS EMISSIONS.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall enter into an agreement with the National Academy of Sciences under which the Academy shall conduct a study on greenhouse gas emissions associated with the aviation industry, including—

(1) a determination of appropriate data necessary to make determinations of emission inventories, considering fuel use, airport operations, ground equipment, and all other sources of emissions in the aviation industry;

(2) an estimate of projected industry emissions for the following 5-year, 20-year, and 50-year periods;

(3) based on existing literature, research and surveys to determine the existing best practices for emission reduction in the aviation sector;

(4) recommendations on areas of focus for additional research for technologies and operations with the highest potential to reduce emissions; and

(5) recommendations of actions that the Federal Government could take to encourage or require additional emissions reductions.

(b) CONSULTATION.—In developing the parameters of the study under this section, the Administrator shall conduct the study under this section in consultation with—

(1) the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration; and

(2) other appropriate Federal agencies and departments.

SA 4641. Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. COCHRAN, Mr. CARDIN, Mr. CASEY, Mrs. CLINTON, Ms. COLLINS, Mr. CONRAD, Mr. ENZI, Mr. HAGEL, Mr. HARKIN, Mr. LEAHY, Mr. LEVIN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. WICKER, Mr. JOHNSON, Mr. SPECTER, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 111, between lines 14 and 15, insert the following:

SEC. 417. REPEAL OF ESSENTIAL AIR SERVICE LOCAL PARTICIPATION PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 417 of title 49, United States Code, is amended by striking section 41747.

(b) APPLICABILITY .—Title 49, United States Code, shall be applied as if section 41747 of such title had not been enacted.

(c) CLERICAL AMENDMENT.—The chapter analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41747.

SA 4642. Mr. ROCKEFELLER proposed an amendment to amendment SA 4637 proposed by Mr. REID to the amendment SA 4636 proposed by Mr. REID to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; as follows:

In the amendment, strike ''1'' and insert ''3.''

SA 4643. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITIONS AGAINST VOICE COMMUNICATIONS USING MOBILE COMMUNICATIONS DEVICES ON SCHEDULED FLIGHTS.

(a) IN GENERAL.—Subchapter I of chapter 417, as amended by section 714 of this Act, is further amended by adding at the end the following:

''§ 41725. Prohibitions against voice communications using mobile communications devices on scheduled flights

''(a) INTERSTATE AND INTRASTATE AIR TRANSPORTATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual may not engage in voice communications using a mobile communications device in an aircraft during a flight in scheduled passenger interstate air transportation or scheduled passenger intrastate air transportation.

''(2) FLIGHT CREW AND FLIGHT ATTENDANTS.—The prohibition described in paragraph (1) shall not apply to a member of the flight crew or flight attendants on an aircraft.

''(b) FOREIGN AIR TRANSPORTATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Transportation shall require all air carriers and foreign air carriers to adopt the prohibition described in subsection (a) with respect to the operation of an aircraft in scheduled passenger foreign air transportation.

''(2) ALTERNATE PROHIBITION.—If a foreign government objects to the application of paragraph (1) on the basis that such paragraph provides for an extraterritorial application of the laws of the United States, the Secretary shall waive the application of paragraph (1) to a foreign air carrier licensed by that foreign government at such time as an alternative prohibition on voice communications using a mobile communications device during flight is negotiated by the Secretary with such foreign government through bilateral negotiations.

''(c) DEFINITIONS.—In this section:

''(1) FLIGHT.—The term 'flight' means the period beginning when an aircraft takes off and ending when an aircraft lands.

''(2) VOICE COMMUNICATIONS USING A MOBILE COMMUNICATIONS DEVICE.—The term 'voice communications using a mobile communications device'—

''(A) includes voice communications using—

''(i) a commercial mobile radio service or other wireless communications device;

''(ii) a broadband wireless device or other wireless device that transmits data packets using the Internet Protocol or comparable technical standard; or

''(iii) a device having voice override capability; and

''(B) does not include voice communications using a phone installed on an aircraft.

''(d) SAFETY REGULATIONS.—This section may not be construed to affect the authority of the Secretary to impose limitations on voice communications using a mobile communications device for safety reasons.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.''.

(b) CLERICAL AMENDMENT.—The analysis for subchapter I of chapter 417, as amended by section 714, is further amended by adding at the end the following:

''Sec. 41725. Prohibitions against voice communications using mobile communications devices on scheduled flights.''.

SA 4644. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LOST NATION AIRPORT, OHIO.

(a) APPROVAL OF SALE.—The Secretary of Transportation may approve the sale of Lost Nation Airport from the City of Willoughby, Ohio to Lake County, Ohio, if Lake County—

(1) meets all applicable requirements for sponsorship of the airport;

(2) agrees to assume the obligations and assurances of the grant agreements relating to the airport executed by the City of Willoughby under chapter 471 of title 49, United States Code; and

(3) agrees to operate and maintain the airport in accordance with such obligations and assurances.

(b) GRANTS.—

(1) IN GENERAL.—The Secretary may use funds made available under section 48103 of title 49, United States Code, to award a grant to Lake County, Ohio to assist in the purchase of the Lost Nation Airport under subsection (a).

(2) FEDERAL SHARE.—The Federal share of the grant under this subsection shall be equal to the lesser of—

(A) 90 percent of the purchase price for the Lost Nation Airport; and

(B) $1,220,000.

(3) APPROVAL.—The Secretary may not award a grant under this subsection unless the Secretary receives written assurances required under section 47107 of title 49, United States Code, with respect to such grant and the Lost Nation Airport.

(c) TREATMENT OF SALE PROCEEDS.—To the extent necessary to allow the City of Willoughby to use the proceeds from the sale approved under subsection (a) for any purpose authorized by the City of Willoughby, the Secretary may waive—

(1) the provisions of sections 47107 and 47133 of title 49, United States Code;

(2) any obligations to which the City of Willoughby is subject as a result of a grant received from the Federal Aviation Administration; and

(3) any regulation or policy of the Federal Aviation Administration.

SA 4645. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 99, line 12 strike everything after ''5 operations.'' through line 19.

SA 4646. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. COMMISSION ON THE FUTURE OF THE UNITED STATES COMMERCIAL AND GENERAL AVIATION INDUSTRY.

(a) ESTABLISHMENT.—There is established a commission to be known as the ''Commission on the Future of the United States Commercial and General Aviation Industry''.

(b) MEMBERSHIP.—

(1) APPOINTMENT.—The Commission shall be comprised of 12 members, appointed not later than October 1, 2008, of whom—

(A) up to 6 shall be appointed by the President;

(B) 2 shall be appointed by the Speaker of the House of Representatives;

(C) 2 shall be appointed by the majority leader of the Senate;

(D) 1 shall be appointed by the minority leader of the Senate; and

(E) 1 shall be appointed by the minority leader of the House of Representatives.

(2) QUALIFICATIONS.—The members of the Commission shall be appointed primarily from among persons with extensive private sector experience in commercial aviation manufacturing and persons with extensive private sector experience in general aviation manufacturing, and from among persons with extensive experience in economics, international trade, immigration policy, or labor policy as it relates to the Industry.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) CHAIRMAN.—The President shall designate 1 member of the Commission to serve as the Chairman of the Commission.

(5) MEETINGS.—The Commission shall meet at the call of the Chairman. A majority of the members shall constitute a quorum, but fewer members may hold hearings.

(c) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) study the issues associated with the future of the Industry in the global economy, particularly with respect to the Industry's international competitiveness; and

(B) assess the future importance of the Industry for the economic growth and export potential of the United States.

(2) TOPICS OF STUDY.—In order to fulfill its responsibilities, the Commission shall study—

(A) current-, short-, and long-term trends in the global commercial aviation industry, including an assessment of—

(i) the effect of existing and recent foreign-based entrants into the commercial aviation market on the Industry; and

(ii) ways in which foreign governments provide incentives or engage in unfair trade practices to the detriment of the Industry;

(B) current-, short-, and long-term trends in the general aviation industry, including an assessment of—

(i) the effect on the Industry of existing and recent foreign-based entrants into the general aviation market;

(ii) the effect of general aviation on the economy of the United States;

(iii) the effect of general aviation on domestic job creation; and

(iv) ways in which general aviation contributes to the global economic competitiveness and balance of trade of the United States;

(C) the effect on the Industry of increasing costs for fossil fuel resources and the applicability of alternative fuels to replace fossil fuels;

(D) the Federal budget process, including an assessment of—

(i) the adequacy of projected budgets of Federal departments and agencies for aerospace research and development;

(ii) the adequacy of the level of communication and coordination between Federal departments and agencies as regards aerospace research and development; and

(iii) the adequacy of current levels of communication and consultation between Federal departments and agencies and industry stakeholders when developing aviation budgets and industry analysis;

(E) the tax laws, regulatory policies, and acquisition process of the Federal Government, including an assessment of their effect on maintaining a growing manufacturing base for all sectors of the Industry;

(F) laws governing international trade and exports, including an assessment of the adequacy of United States and multilateral trade laws and policies for maintaining the international competitiveness of the Industry;

(G) laws governing the immigration of skilled aerospace workers, including an assessment of the impact of current immigration laws on the short-term viability of the aerospace technology workforce; and

(H) the adequacy of—

(i) Federal, State, and local programs for the support of science and engineering education, including current programs for supporting aerospace science and engineering efforts at institutions of higher learning; and

(ii) programs for the support of workforce development at institutions of higher learning or State and local centers for technical training.

(d) REPORT.—

(1) SUBMISSION.—Not later than September 30, 2009, the Commission shall submit a report describing its activities to the President and Congress.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) the Commission's findings and conclusions;

(B) the Commission's recommendations for actions by Federal departments and agencies and State and local governments to support the maintenance of a robust commercial and general aviation industry in the United States, including any recommendations for legislative or regulatory changes to support the implementation of the Commission's findings; and

(C) a discussion of the appropriate means for implementing the Commission's recommendations.

(e) POWERS OF THE COMMISSION.—

(1) ADMINISTRATIVE REQUIREMENTS.—The Director of the Office of Management and Budget shall provide the Commission with sufficient funding to procure such administrative services, facilities, staff, and other support services as may be necessary to carry out the purposes of this section.

(2) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the purposes of this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may request directly from any Federal department or agency any information that the Commission considers necessary to carry out the provisions of this section. The head of a department or agency receiving a request for information under this paragraph shall furnish such information to the Commission in accordance with applicable law.

(4) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal departments and agencies.

(f) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Members of the Commission shall serve without additional compensation for their service on the Commission, except that each member who is not an officer or employee of the Federal Government may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service under subchapter I of chapter 57 of title 5, United States Code, while away from their homes and places of business in the performance of services for the Commission.

(2) STAFF.—The chairman of the Commission may appoint staff of the Commission, request the detail of Federal employees, and accept temporary and intermittent services in accordance with section 3161 of title 5, United States Code.

(g) TERMINATION.—The Commission shall terminate 30 days after the date of the submission of its report under subsection (d).

(h) DEFINITIONS.—

(1) In this section:

(A) COMMISSION.—The term ''Commission'' means the Commission on the Future of the United States Commercial and General Aviation Industry.

(B) INDUSTRY.—The term ''Industry'' means the commercial and general aviation industry in the United States.

SA 4647. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 4590 submitted by Mrs. MCCASKILL (for herself, Mr. SPECTER, Mr. OBAMA, and Mrs. CLINTON) and intended to be proposed to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4 of the matter proposed to be inserted, strike line 1 and all that follows through page 9, line 2, and insert the following:

''(b) REQUIREMENTS FOR MAINTENANCE PERSONNEL PROVIDING COVERED MAINTENANCE WORK.—Not later than 3 years after the date of the enactment of this section, the Administrator shall prescribe regulations requiring all covered maintenance work on United States commercial aircraft of a part 121 air carrier to be performed by maintenance personnel employed by—

''(1) a part 145 repair station;

''(2) a part 121 air carrier;

''(3) a person that provides contract maintenance personnel to a part 145 repair station or a part 121 air carrier, if such personnel—

''(A) meet the requirements of such repair station or air carrier, as the case may be;

''(B) work under the direct supervision and control of such repair station or air carrier, as the case may be; and

''(C) carry out their work in accordance with the quality control manuals of such repair station or the maintenance manual of such air carrier, as the case may be; or

''(4) a holder of a production certificate under part 21 of title 14, Code of Federal Regulations, if such personnel are subcontracted by a part 145 repair station.

''(c) CERTIFICATION OF INSPECTION OF FOREIGN REPAIR STATIONS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this section, annually thereafter, and except as provided in paragraph (2), the Administrator shall certify to Congress that—

''(A) each foreign repair station certified by the Administrator that performs maintenance work on an aircraft or a component of an aircraft for a part 121 air carrier has been inspected not fewer than 2 times in the preceding calendar year by an aviation safety inspector of the Federal Aviation Administration; and

''(B) not fewer than 1 of the inspections required by paragraph (1) for each certified foreign repair station was carried out at such repair station without any advance notice to such foreign repair station.

''(2) EXCEPTION.—The requirements of paragraph (1) shall not apply with respect to foreign repair stations located in countries with which the United States has entered into a bi-lateral maintenance agreement.

''(d) DRUG AND ALCOHOL TESTING OF FOREIGN REPAIR STATION PERSONNEL.—Not later than 1 year after the date of the enactment of this section, the Administrator shall amend the certification requirements under part 145 of title 14, Code of Federal Regulations, to require alcohol and controlled substance testing in accordance with section 45102 of this title for any individual employed by a foreign repair station who performs a safety-sensitive function on a United States commercial aircraft of a part 121 air carrier.''.

(2) TEMPORARY PROGRAM OF IDENTIFICATION AND OVERSIGHT OF NONCERTIFIED REPAIR FACILITIES.—

(A) DEVELOP PLAN.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall develop a plan—

(i) to require each part 121 air carrier to identify and submit to the Administrator a complete list of all noncertified maintenance providers that perform covered maintenance work on United States commercial aircraft operated by such part 121 air carriers to provide air transportation;

(ii) to validate lists described in clause (i) that are submitted by a part 121 air carrier to the Administrator by sampling the records of part 121 air carriers, such as maintenance activity reports and general vendor listings; and

(iii) to carry out surveillance and oversight by field inspectors of the Federal Aviation Administration of all noncertificated maintenance providers that perform covered maintenance work on United States commercial aircraft for part 121 air carriers.

(B) REPORT ON PLAN FOR PROGRAM.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall submit to Congress a report that contains the plan required by subparagraph (A).

(C) IMPLEMENTATION OF PLANNED PROGRAM.—Not later than 1 year after the date of the enactment of this Act and until regulations are prescribed under section 44730(b) of title 49, United States Code, as added by paragraph (1), the Administrator shall carry out the plan required by subparagraph (A).

(D) ANNUAL REPORT ON IMPLEMENTATION.—Not later than 180 days after the commencement of the plan under subparagraph (C) and each year thereafter until the regulations described in such subparagraph are prescribed, the Administrator shall submit to Congress a report on the implementation of the plan carried out under such subparagraph.

(3) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following: ''44730. Repairs stations.''.

(c) REPAIR STATION SECURITY REQUIREMENTS.—Section 44924 is amended by striking subsections (a) through (g) and inserting the following:

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Administrator shall require each part 145 repair station, as a condition of certification or recertification under part 145 of title 14, Code of Federal Regulations, to implement security requirements—

''(1) to ensure that the facilities of such repair station are safe and secure; and

''(2) that include the requirements described in subsection (b).

''(b) SECURITY REQUIREMENTS.—The security requirements described in this subsection are requirements of a part 145 repair station to implement the following:

''(1) Methods for controlling access to secure areas.

''(2) Methods to insure that an individual is immediately denied entry to secured areas when that person's access authority for that area is withdrawn.

''(3) Methods to ensure that visitors are escorted while on facility premises.

''(4) A program to subject each individual applicant for employment with the repair station to employment history verification.

''(5) A program to ensure the security of protected materials.

''(c) COMPLIANCE OF REPAIR STATIONS WITH SECURITY REQUIREMENTS.—

''(1) PROHIBITION ON CERTIFICATION OF REPAIR STATIONS THAT DO NOT COMPLY WITH SECURITY REQUIREMENTS.—The Administrator may not certify or recertify a repair station under part 145 of title 14, Code of Federal Regulations (or any successor regulation), unless—

''(A) such repair station is in compliance with the security requirements required by subsection (a); and

''(B) such repair station certifies to the Under Secretary for Border and Transportation Security annually that such repair station is in compliance with such security requirements.

''(2) NOTIFICATION TO AIR CARRIERS OF NONCOMPLIANCE BY REPAIR STATIONS.—If the Under Secretary for Border and Transportation Security of the Department of Homeland Security is aware that a part 145 repair station is not in compliance with a security requirement required by subsection (a) or that a security issue or vulnerability has been identified with respect to such repair station, the Under Secretary shall provide notice to each part 121 air carrier of such noncompliance or security issue or vulnerability.

''(d) DEFINITIONS.—In this section:

''(1) PART 121 AIR CARRIER.—The term 'part 121 air carrier' means an air carrier that holds a certificate under part 121 of title 14, Code of Federal Regulations (or any successor regulation).

''(2) PART 145 REPAIR STATION.—The term 'part 145 repair station' means a foreign or domestic repair station that holds a certificate under part 145 of title 14, Code of Federal Regulations (or any successor regulation).''.

SA 4648. Mr. VITTER (for himself, Mr. CRAIG, Mr. SPECTER, Mr. THUNE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 7_____. OIL AND NATURAL GAS LEASING IN NEW PRODUCING AREAS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCING STATE.—The term ''eligible producing State'' means—

(A) a new producing State; and

(B) any other producing State that has, within the offshore administrative boundaries beyond the submerged land of a State, areas available for oil leasing, natural gas leasing, or both.

(2) NEW PRODUCING AREA.—The term ''new producing area'' means an area that is—

(A) within the offshore administrative boundaries beyond the submerged land of a State; and

(B) not available for oil or natural gas leasing as of the date of enactment of this Act.

(3) NEW PRODUCING STATE.—The term ''new producing State'' means a State with respect to which a petition has been approved by the Secretary under subsection (b).

(4) QUALIFIED REVENUES.—The term ''qualified revenues'' means all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this Act for new producing areas.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PETITION FOR LEASING NEW PRODUCING AREAS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, during any period in which the West Texas Intermediate daily price of crude oil (in dollars per barrel) exceeds 190 percent of the annual price of crude oil (in dollars per barrel) for calendar year 2006, the Governor of a State, with the concurrence of the State legislature, may submit to the Secretary a petition requesting that the Secretary make a new producing area of the State eligible for oil leasing, gas leasing, or both, as determined by the State, in accordance with the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.).

(2) NATURAL GAS LEASING ONLY.—The Governor of a State, with the concurrence of the State legislature, may, in a petition submitted under paragraph (1), make a request to allow natural gas leasing only.

(3) ACTION BY SECRETARY.—As soon as practicable after the date on which the Secretary receives a petition under paragraph (1), the Secretary shall approve or disapprove the petition.

(c) DISPOSITION OF QUALIFIED OUTER CONTINENTAL SHELF REVENUES FROM ELIGIBLE PRODUCING STATES.—Notwithstanding section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338), for each applicable fiscal year, the Secretary of the Treasury shall deposit—

(1) 50 percent of qualified revenues in the general fund of the Treasury; and

(2) 50 percent of qualified revenues in a special account in the Treasury, from which the Secretary shall disburse—

(A) 37.5 percent to eligible producing States for new producing areas, to be allocated in accordance with subsection (d)(1); and

(B) 12.5 percent to provide financial assistance to States in accordance with section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–8).

(d) ALLOCATION TO ELIGIBLE PRODUCING STATES.—

(1) IN GENERAL.—The amount made available under subsection (c)(2)(A) shall be allocated to eligible producing States in amounts (based on a formula established by the Secretary by regulation) that are inversely proportional to the respective distances between the point on the coastline of each eligible producing State that is closest to the geographic center of the applicable leased tract and the geographic center of the leased tract, as determined by the Secretary.

(2) USE.—Amounts allocated to an eligible producing State under subparagraph (A) shall be used to address the impacts of any oil and natural gas exploration and production activities under this section.

(e) EFFECT.—Nothing in this section affects—

(1) the amount of funds otherwise dedicated to the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–5); or

(2) any authority that permits energy production under any other provision of law.

SA 4649. Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, Ms. CANTWELL, Ms. STABENOW, and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 4582 submitted by Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. LAUTENBERG, Mr. MENENDEZ, Mrs. MURRAY, and Ms. CANTWELL) and intended to be proposed to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 5 through 7, and insert the following: ''cargo (other than bulk cargo)—''.

On page 3, line 3, strike the end quotation marks and second period and insert the following:

''(4) BULK CARGO.—For purposes of this subsection, the term 'bulk cargo' shall have the

meaning given such term by section 53101(1) of title 46, United States Code (as in effect on the date of the enactment of this subsection).''.

SA 4650. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SAFE AND ON TIME AIR TRAVEL.

(a) SHORT TITLE.—This section may be cited as the ''Safe and On Time Travel Act.''

(b) PRIORITIZING AVIATION PROJECTS.—Any congressionally directed spending item (as that term is defined in rule XLIV of the Standing Rules of the Senate, as added by section 521 of the House Leadership in Government Act of 2007 (Public Law 110–81)), designated for administration by the Federal Aviation Administration shall be subject to the Administration's review and selection process. After the Administration completes its review, the Secretary of the Department of Transportation shall determine if the merits of each such congressionally directed spending item outweighs the merits of any backlogged projects and has resulted in flight delays or poses a risk to airline safety. If the Secretary determines that the congressionally directed spending item does not outweigh the backlogged project, the Secretary shall have the authority to reprogram funding provided for any such congressionally directed spending item for an identified backlogged project.

(c) REPORT.—The Secretary shall submit a report to Congress and make available annually on the Department's website the findings of the Federal Aviation Administration reviews of congressionally directed spending items. The report shall identify the following:

(1) A cost estimate and location of each backlogged project that may be affecting flight delays or pose a risk to airline safety.

(2) A cost estimate and location of each congressionally directed spending item designated for administration by the Federal Aviation Administration.

(3) The result of each of the Administration's reviews and selection processes with respect to the merits of each congressionally directed spending item.

(4) A listing of any congressionally directed spending item with respect to which funding was reprogrammed to reduce flight delays or improve airline safety.

(5) A detailed description of how the reprogramming of funding for any congressionally directed spending item was spent to reduce flight delays or improve airline safety.

SA 4651. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 2 and 3, insert the following:

(f) REALIGNMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.—

(1) PROHIBITION.—Notwithstanding any other provision of this section, the Administrator of the Federal Aviation Administration may not carry out, or plan for, the consolidation, deconsolidation, colocation, execution of interfacility reorganization, or facility elimination of the terminal radar approach control (TRACON) at Palm Beach International Airport.

(2) REPLACEMENT OF TERMINAL RADAR APPROACH CONTROL AT PALM BEACH INTERNATIONAL AIRPORT.—The Administrator shall ensure that any air traffic control tower or facility placed into operation at Palm Beach International Airport after September 30, 2007, to replace an air traffic control tower or facility placed into operation before September 30, 2007, includes an operating terminal radar approach control.

SA 4652. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 65, strike line 24 and all that follows through page 66, line 2, and insert the following:

(4) Until the Board's recommendations are completed, the Administrator may not—

(A) consolidate any additional approach control facilities into—

(i) the Southern California TRACON; or

(ii) the Memphis TRACON; or

(B) de-consolidate, relocate, colocate, reorganize, combine, de-combine, split, or otherwise realign—

(i) the Miami International Airport TRACON and Tower;

(ii) the Orlando International Airport TRACON and Tower; or

(iii) the Palm Beach International Airport TRACON and Tower.

SA 4653. Ms. CANTWELL (for Mr. REID) proposed an amendment to the resolution S. Res. 494, expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq; as follows:

On page 3, beginning on line 9, strike ''to merge reconstruction assistance funds provided by the United States with funds'' and insert ''to coordinate United States reconstruction assistance funds, in whatever form they are provided, with funds''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 1, at 9:30 a.m. in room 562 of the Dirksen Senate Office building to conduct a hearing entitled ''Indian Energy Development—Regaining Self-Determination Over Reservation Resources.''

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 1, 2008, at 2 p.m. to conduct a Committee hearing entitled ''The More You Know, the Better Buyer You Become: Financial Literacy for Today's Homebuyers.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Thursday, May 1, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, May 1, 2008, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Thursday, May 1, 2008, at 2:15 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 1, 2008, at 2:30 p.m. to hold a nomination hearing.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Keeping America's Children Safe: Preventing Childhood Injury'' on Thursday, May 1, 2008. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, May 1, at 9:30 a.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing entitled Indian Energy Development—Regaining Self-Determination Over Reservation Resources.

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

COMMITTEE ON THE JUDICIARY

Mr. ROCKEFELLER. 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 on Judicial nominations on Thursday, May 1, 2008, at 2:15 p.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. ROCKEFELLER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 1, 2008, at 2:30 p.m. to hold a closed hearing.

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

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

TEMPORARY EXTENSION OF THE FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

Mr. ROCKEFELLER. Mr. President, a procedural matter. I ask unanimous consent the Senate proceed to the immediate consideration of S. 2954, introduced earlier today by Senator HARKIN.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2954) to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008.

Mr. ROCKEFELLER. Mr. President, I ask if there is objection to proceeding?

Mr. CRAIG. Mr. President, reserving the right to object, and I will not object, I came to the floor last night to speak to a time extension for our colleagues on the farm bill.

Mr. ROCKEFELLER. This would follow both you and Senator NELSON.

Mr. CRAIG. I am speaking to the unanimous consent request and the extension, and I think it is appropriate at this time. It appears our colleagues have labored hard and long. We believe we have a compromise for the farm bill. This gives them adequate time to refine it and bring it to floor as a conference report for final consideration.

Mr. ROCKEFELLER. I am informed we have to get this bill to the House right away.

There being no objection, the Senate proceeded to consider the bill.

Mr. ROCKEFELLER. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table with, no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 2954) was read the third time and passed, as follows:

S. 2954

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AGRICULTURAL PROGRAMS AND SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.

Effective April 25, 2008, section 1 of Public Law 110–196 (122 Stat. 653) (as amended by Public Law 110–200 (122 Stat. 695) and Public Law 110–205 (122 Stat. 713)) is amended—

(1) in subsection (a), by striking ''May 2, 2008'' and inserting ''May 16, 2008''; and

(2) in subsection (d), by striking ''May 2, 2008'' and inserting ''May 16, 2008''.

RATIFYING A LAND CONVEYANCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to the consideration of H.R. 3522, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3522) to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 3522) was read the third time and passed.

MAKING TECHNICAL CORRECTIONS IN THE ENROLLMENT OF H.R. 493

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 340, received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 340) to make technical corrections in the enrollment of the bill H.R. 493.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 340) was agreed to.

NATIONAL CHILD CARE WORTHY WAGE DAY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of H. Con. Res. 112 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 112) supporting the goals and ideas of a National Child Care Worthy Wage Day.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 112) was agreed to.

The preamble was agreed to.

REGARDING NEED FOR IRAQ RECONSTRUCTION ASSISTANCE

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 709, S. Res. 494.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 494) expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, without amendment, and with an amendment to the preamble, as follows:

(Omit the part struck through and insert the part printed in italic.)

S. RES. 494

Whereas a sustained flow of international economic reconstruction assistance to the Government of Iraq and provincial and regional authorities in Iraq is essential to the restoration of basic services in Iraq, job creation, and the future stabilization of that country;

Whereas reconstruction assistance should be administered in a transparent, accountable, and equitable manner in order to help alleviate sectarian grievances and facilitate national political reconciliation;

Whereas the United States has already spent approximately [$29,000,000,000 on reconstruction assistance and Congress has authorized the expenditure of an additional $16,500,000,000] *$18,500,000,000 on reconstruction assistance and Congress has authorized the expenditure of $24,000,000,000* for reconstruction assistance;

Whereas, on December 18, 2007, the Government Accountability Office (GAO) reported that, as of October 2007, international donors had pledged a total of approximately $16,400,000,000 in support of Iraq's reconstruction since 2003, of which roughly $13,600,000,000 was pledged at an October 2003 donor conference in Madrid, Spain;

Whereas the GAO reported that international donors have provided only approximately $7,000,000,000 for reconstruction assistance, or less than half of the original pledged amount;

Whereas the conclusion reached by the Iraq Study Group (ISG) in December 2006 that ''[i]nternational support for Iraqi reconstruction has been tepid'' remains true and reinforces the ISG's subsequent recommendation that ''[a]n essential part of reconstruction efforts in Iraq should be greater involvement by and with international partners, who should do more than just contribute money. . . . [t]hey should also actively participate in the design and construction of projects'';

Whereas Iraq's regional neighbors, in particular, carry a special imperative to bolster reconstruction assistance efforts to Iraq, given the vital importance of a peaceful and secure Iraq to their security interests and overall regional stability; and

Whereas those countries have prospered in recent years due to the rising price of their oil exports and enjoy expanded government revenue from which funds could be allocated for reconstruction assistance to Iraq: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Iraq's neighbors and other key international partners should fully carry through on previous pledges of reconstruction assistance to the Government of Iraq, working to mitigate and circumvent, where necessary, potential obstacles to the effective implementation of those pledges; and

(2) the United States should consider a recommendation proposed by the Iraq Study Group to merge reconstruction assistance funds provided by the United States with funds from international donors and Iraqi participants to help ensure that assistance projects in Iraq are carried out in the most rapid and efficient manner possible.

Ms. CANTWELL. Mr. President, I further ask that the amendment which is at the desk be agreed to; the resolution, as amended, be agreed to; the amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

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

The amendment (No. 4653) was agreed to, as follows:

On page 3, beginning on line 9, strike ''to merge reconstruction assistance funds provided by the United States with funds'' and insert ''to coordinate United States reconstruction assistance funds, in whatever form they are provided, with funds''.

The resolution (S. Res. 494), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 494

Whereas a sustained flow of international economic reconstruction assistance to the Government of Iraq and provincial and regional authorities in Iraq is essential to the restoration of basic services in Iraq, job creation, and the future stabilization of that country;

Whereas reconstruction assistance should be administered in a transparent, accountable, and equitable manner in order to help alleviate sectarian grievances and facilitate national political reconciliation;

Whereas the United States has already spent approximately $18,500,000,000 on reconstruction assistance and Congress has authorized the expenditure of $24,000,000,000 for reconstruction assistance;

Whereas, on December 18, 2007, the Government Accountability Office (GAO) reported that, as of October 2007, international donors had pledged a total of approximately $16,400,000,000 in support of Iraq's reconstruction since 2003, of which roughly $13,600,000,000 was pledged at an October 2003 donor conference in Madrid, Spain;

Whereas the GAO reported that international donors have provided only approximately $7,000,000,000 for reconstruction assistance, or less than half of the original pledged amount;

Whereas the conclusion reached by the Iraq Study Group (ISG) in December 2006 that ''[i]nternational support for Iraqi reconstruction has been tepid'' remains true and reinforces the ISG's subsequent recommendation that ''[a]n essential part of reconstruction efforts in Iraq should be greater involvement by and with international partners, who should do more than just contribute money. . . . [t]hey should also actively participate in the design and construction of projects'';

Whereas Iraq's regional neighbors, in particular, carry a special imperative to bolster reconstruction assistance efforts to Iraq, given the vital importance of a peaceful and secure Iraq to their security interests and overall regional stability; and

Whereas those countries have prospered in recent years due to the rising price of their oil exports and enjoy expanded government revenue from which funds could be allocated for reconstruction assistance to Iraq: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Iraq's neighbors and other key international partners should fully carry through on previous pledges of reconstruction assistance to the Government of Iraq, working to mitigate and circumvent, where necessary, potential obstacles to the effective implementation of those pledges; and

(2) the United States should consider a recommendation proposed by the Iraq Study Group to coordinate United States reconstruction assistance funds, in whatever form they are provided, with funds from international donors and Iraqi participants to help ensure that assistance projects in Iraq are carried out in the most rapid and efficient manner possible.

NATIONAL DRUG COURT MONTH

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 534 and that the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 534) designating the month of May 2008 as ''National Drug Court Month.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution and the preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 534) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 534

Whereas drug courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against drug abuse and criminality;

Whereas 60 percent to 80 percent of drug offenders sentenced to prison and over 40 percent sentenced to probation recidivate, and whereas fewer than 17 percent of drug court graduates recidivate;

Whereas the results of more than 100 program evaluations and at least 3 experimental studies have yielded evidence that drug courts greatly improve substance abuse treatment outcomes, substantially reduce crime, and produce significant societal benefits;

Whereas drug courts transform over 120,000 addicts each year in the adult, juvenile, and family court systems into drug-free, productive citizens;

Whereas judges, prosecutors, defense attorneys, substance abuse treatment and rehabilitation professionals, law enforcement and community supervision personnel, researchers and educators, national and community leaders, and others dedicated to drug courts and similar types of treatment programs are healing families and communities across the country; and

Whereas the drug court movement has grown from the 12 original drug courts in 1994 to over 2,000 operational drug courts as of December 2007: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of May 2008 as ''National Drug Court Month'';

(2) encourages the people of the United States and interested groups to observe the month with appropriate ceremonies and activities;

(3) encourages leaders across the United States to increase the use of drug courts by instituting sustainable drug courts and other treatment-based alternatives to prison in all 3,143 counties in the United States, which serve the vast majority of the highest-need citizens in the justice system; and

(4) supports the goal of robustly funding the Drug Court Discretionary Grant Program and other treatment-based alternatives

to prison in order to expand these critical criminal justice programs.

NATIONAL SUBSTITUTE TEACHER RECOGNITION WEEK

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 544 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 544) designating May 5 through 9, 2008, as National Substitute Teacher Recognition Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, I rise today in recognition of the 7th Annual ''National Substitute Teacher Recognition Week,'' which is celebrated in conjunction with Teacher Appreciation Week. This is a national effort to recognize the approximately 270,000 men and women that fill in for absent permanent teachers every day in the United States.

According to research performed by the Substitute Teaching Institute—STI—at Utah State University, as much as 1 full year of a child's elementary and secondary education is taught by substitute teachers. More often than not, these are talented individuals who are willing to take on the challenge of providing quality education when permanent teachers are out of the classroom. I believe it is only appropriate that we do something to recognize the efforts of these members of our communities who fill a void in the education of our children and play a vital role in maintaining continuity of instruction and a positive learning environment for students throughout our country.

I would also like to recognize and commend the work and dedication of the Substitute Teaching Institute. Established in 1995, STI provides substitute teachers with training materials to improve the quality of their contribution to classroom activities. Over the last 12 years, STI has evolved and grown to become one of our Nation's leaders in the effort to improve substitute teaching, providing training materials and services along with recruitment and retention assistance to school districts and substitute teachers around the world. Having expanded its work over the years, the STI continually works to revolutionize the role of substitute teachers into opportunities for educational excellence.

I am joined by Senators CLINTON and COCHRAN in submitting a resolution designating May 5–9, 2008 as National Substitute Teacher Recognition Week, and I urge all my colleagues to lend their support.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 544) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 544

Whereas, on average, as much as 1 full year of a child's elementary and secondary education is taught by substitute teachers;

Whereas, on any given day in the United States, more than 270,000 classes are taught by substitute teachers;

Whereas formal training of substitute teachers has been shown to improve the quality of education, lower school district liability, reduce the number of student and faculty complaints, and increase retention rates of substitute teachers;

Whereas a strong, effective system of education for all children and youth is essential to our Nation's continued strength and prosperity;

Whereas much of a child's growth and progress can be attributed to the efforts of dedicated teachers and substitute teachers who are entrusted with the child's educational development;

Whereas substitute teachers play a vital role in maintaining continuity of instruction and a positive learning environment in the absence of a permanent classroom teacher; and

Whereas substitute teachers should be recognized for their dedication and commitment: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 5 through 9, 2008, as the 7th annual National Substitute Teacher Recognition Week;

(2) recognizes the important and vital role substitute teachers play in a child's education; and

(3) encourages educational institutions to observe the week with appropriate events and activities.

HONORING THE RECIPIENTS OF THE EL DORADO PROMISE SCHOLARSHIP

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 545, which was submitted earlier today by Senator PRYOR.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 545) honoring the recipients of the El Dorado Promise Scholarship.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 545) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 545

Whereas the 2000 United States Census determined that El Dorado, Arkansas, had a significantly lower percentage of residents with degrees from institutions of higher education and a significantly higher percentage of families who fell below the poverty line than the national average;

Whereas it is increasingly important for students to obtain a college education in order to keep up with the demands of the modern workforce and global economy;

Whereas the El Dorado Promise scholarship is a tuition scholarship, created and funded by Murphy Oil Corporation, which enables all eligible high school graduates of the El Dorado Public School District in El Dorado, Arkansas, to attend any accredited 2- or 4-year, public or private, college or university;

Whereas school enrollment in the El Dorado Public School District has significantly increased since the El Dorado Promise scholarship program was established, despite a 15-year trend of decreasing enrollment;

Whereas the El Dorado Promise scholarship program increased the number of El Dorado High School students who chose to attend college after graduation by 20 percent; and

Whereas, on April 30, 2008, El Dorado High School students who receive El Dorado Promise and other academic scholarships sign academic letters of intent for the colleges they will be attending upon graduation: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the recipients of the El Dorado Promise scholarship for choosing to further their education;

(2) recognizes April 30, 2008, as the second Academic Signing Day for graduating El Dorado High School students receiving El Dorado Promise and other academic scholarships;

(3) acknowledges that the El Dorado Promise scholarship program is important for the revitalization of southern Arkansas; and

(4) recognizes Murphy Oil Corporation for its efforts to ensure that children from southern Arkansas, who might otherwise struggle in financing a college education, are able to attend college.

NATIONAL PHYSICAL FITNESS AND SPORTS MONTH AND NATIONAL PHYSICAL EDUCATION AND SPORTS WEEK

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 546, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 546) designating May 2008 as ''National Physical Fitness and Sports Month,'' and the week of May 1 through May 7, 2008, as ''National Physical Education and Sports Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. THUNE. Mr. President, I am pleased to submit a resolution today with my colleague, Senator WYDEN OR, designating the month of May as ''National Physical Fitness and Sports Month'' and the first week of May as ''National Physical Education and Sports Week.''

Developing healthy habits is important for all of us, as children, young

adults, and as we grow older. Current and past Presidents have recognized the month of May, the beginning of spring, as ''Physical Fitness and Sports Month'' for over 20 years. Around South Dakota and across the country, local YMCAs, afterschool programs, and other organizations take time during the month of May to recognize the need to get fit, stay active, and look at new ways to promote physical activity. This year, I am pleased we are able to recognize the importance of physical fitness through the Senate.

As we talk more about health care reform and the uninsured, it is important to remember that each of us has a responsibility concerning our own care and to educate our children on the importance of staying healthy. Too often I hear from constituencies, such as school groups and health care providers, that childhood obesity and diabetes are on the rise—and it is not just affecting our health, but also our pocketbooks.

According to my State and the Centers for Disease Control, more than 50,000 South Dakotans have diabetes and projections show that number will continue to increase. Diabetes of course can cause severe complications and takes a tremendous toll on our society. The disease is associated with significant personal and social costs due to impaired health and quality of life.

Heart disease is another significant and often related illness to diabetes that effects millions of Americans and costs Medicare and Medicaid, and therefore taxpayers, millions each year. In South Dakota, approximately 1,743 deaths—24.8 percent of all deaths—in 2006 were caused by cardiovascular diseases, including stroke.

Now much of the burden of heart disease is due to smoking—and that is another problem we will continue to tackle through education at the state and local levels. But it is also helpful to know that both heart disease and type 2 diabetes are largely preventable. Also, obesity and inactivity are two of the major risk factors associated with these diseases—-which means a healthy diet and regular physical activity at all ages can go a long way toward improving our quality of life and reducing our health care bills.

For adults, it is recommended that minimum physical activity consist of moderate activity for 30 minutes, 5 days a week, or more vigorous activity for 20 minutes, 3 days a week. My daughters and I happen to have a passion for running, which is particularly popular this time of year in South Dakota.

The month of May is also a time to recognize the importance of sports to our State and to our schools. Getting involved in your local school team—high school or college—or in other local teams is a great way to stay motivated and focused through school and to develop healthy habits that will last for many years. It is also a tremendously important part of community life in South Dakota.

I am proud that this resolution has been endorsed by YMCA of the USA, AAHPERD—American Alliance for Health, Physical Education, Recreation & Dance—the American Heart Association, American Diabetes Association, and the National Coalition for Promoting Physical Activity.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 546) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 546

Whereas regular physical activity helps increase endurance, strengthen bones and muscles, control weight, and reduce anxiety and stress, and may improve blood pressure and cholesterol levels;

Whereas about ⅔ of young people in the ninth through 12th grades do not engage in recommended levels of physical activity, and daily participation in high school physical education classes has declined over the last 7 years;

Whereas 39 percent of adults report they are not physically active, and only 3 in 10 adults engage in the recommended amount of physical activity;

Whereas, in 2004, more than 9,000,000 children and adolescents in the United States between the ages of 6 and 19 were considered overweight;

Whereas obesity and inactivity are 2 major risk factors for developing type 2 diabetes, a disease that affects millions of people in the United States;

Whereas many chronic diseases may be prevented by living a healthy lifestyle that includes regular physical activity and a balanced diet;

Whereas, according to the Centers for Disease Control and Prevention, the American Heart Association, and the American College of Sports Medicine, minimum physical activity for adults consists of moderate activity for 30 minutes 5 days a week or vigorous activity for 20 minutes 3 days a week;

Whereas, according to a 1996 report by the Surgeon General, positive experiences with physical activity at a young age help to lay the foundation for being active throughout life;

Whereas the President's Council on Physical Fitness and Sports promotes regular physical activity to achieve and maintain good health and to prevent chronic disease and offers motivational tools through the President's Challenge program for people of all ages to track physical activity; and

Whereas the month of May has been recognized since 1983 as National Physical Fitness and Sports Month to encourage physical fitness and activity and to promote health in children and adults of all ages: Now, therefore, be it

Resolved, That the Senate—

(1) designates—

(A) May 2008 as ''National Physical Fitness and Sports Month''; and

(B) the week of May 1 through May 7, 2008, as ''National Physical Education and Sports Week''; and

(2) encourages the people of the United States to observe the month and the week with appropriate ceremonies and activities.

NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK AND OCCUPATIONAL SAFETY AND HEALTH PROFESSIONALS DAY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 547, submitted earlier today by Senator DURBIN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 547) designating the week of May 4 through May 10, 2008, as ''North American Occupational Safety and Health Week'' and May 7, 2008, as ''Occupational Safety and Health Professionals Day.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 547) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 547

Whereas every year more than 5,700 people die from job-related injuries and 4,400,000 more incur occupational injuries and illnesses in the United States;

Whereas transportation crashes continue to be the number 1 cause of on-the-job deaths, and overall in 2005 there were 6,159,000 transportation accidents resulting in 43,433 deaths, 2,700,000 injuries, and an estimated $230,600,000,000 in tangible costs;

Whereas businesses spend $170,000,000,000 a year on costs associated with occupational injuries and illnesses;

Whereas it is imperative that employers, employees, and the general public are aware of the importance of preventing illness and injury in the workplace–wherever that workplace may be, such as on the road, in the air, the classroom, the store, the plant, or the office;

Whereas each year the families, friends, and co-workers of victims of on-the-job accidents suffer intangible losses and grief, especially when proper safety measures could have prevented worker injury or death;

Whereas everyday millions of people go to and return home from work safely due, in part, to the efforts of occupational safety, health, and environmental practitioners who work day in and day out identifying hazards and implementing safety and health advances across industries and workplaces, aimed at eliminating workplace fatalities, injuries, and illnesses;

Whereas our society has long recognized that a safe and healthy workplace positively impacts employee morale, health, and productivity;

Whereas the purpose of the North American Occupational Safety and Health Week (NAOSH) is to raise awareness among employees, employers, and the general public of the benefits of investing in occupational safety and health;

Whereas the more than 32,000 members of the American Society of Safety Engineers,

along with the more than 150,000 combined members of the American Association of Occupational Health Nurses, the American Heart Association, and the National Association of Homebuilders, will be mobilizing to encourage safe practices, and increase the quality of life for employees and employers;

Whereas the theme of NAOSH Week 2008 is ''safety is good business'', highlighting that businesses operate more efficiently and are more respected when they use effective safety and health management systems; and

Whereas, on May 7, 2008, occupational safety and health professionals will be recognized during the 3rd annual Occupational Safety and Health Professionals Day for the work they do to keep people safe at work: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 4 through 10, 2008, as ''North American Occupational Safety and Health Week'';

(2) designates May 7, 2008, as ''Occupational Safety and Health Professionals Day'';

(3) commends occupational safety, health, and environmental practitioners for their ongoing commitment to protecting people, property, and the environment;

(4) commends those businesses that encourage a strong safety culture and incorporate occupational safety and health into their business strategies;

(5) encourages all industries, organizations, community leaders, employers, and employees to join with the American Society of Safety Engineers to support activities aimed at increasing awareness of the importance of preventing illness, injury, and death in the workplace, during the week of May 4 through May 10, 2008, and throughout the year; and

(6) urges all people of the United States to continue to act responsibly and to be safe at work so that the millions of people who go to work return home safely every day to their families and friends.

ENERGY

Ms. CANTWELL. Mr. President, there are many items we were taking care of, but I think the Senate, including the Presiding Officer, in the last several days has spent a lot of time talking about the high prices of gasoline and how the consumers are being impacted by it.

I come to the floor tonight to continue that discussion and to say to the American people and the people of Washington State whom I represent that we are going to be aggressive and vigilant about looking into the oil market and why gas prices have risen over 100 percent in a year when there has been no disruption of supply, when there has been no shortage, when most oil companies testified that oil should be at $60 a barrel, why we are at these high gas prices.

Many of my colleagues have been out on the floor speaking. I keep pointing to the fact that the price of oil has been at over $118 a barrel. I don't know what they closed at today. Many consumers have been paying anywhere from $3.56 a gallon to $4.22 a gallon for diesel. Oil futures—I keep emphasizing this—oil futures are part of what drives the day-to-day price of oil. When oil futures are so high, that helps set the price in the day-to-day, what is called the spot market. We know oil futures now will be over $100 a barrel for several years. We know this is a very big indicator of the challenge we face in keeping gasoline prices low.

Many of my colleagues have been out here talking about ANWR, how we should drill in the Arctic Wildlife Refuge and we will solve our problems. I do not support drilling in the wildlife refuge because I think it is a very special place because it is a wildlife refuge. More importantly, in this case, it is not going to solve our energy crisis. Drilling in the Arctic Wildlife Refuge will, at the height of its production 10 or 20 years from now, if it actually occurs, will reduce gas prices by about a penny a gallon. We are talking about a few dollars of savings over a year's period of time. We are not talking about a solution.

The United States has 3 percent of the world's oil reserves. We are not going to drill our way out of this problem. So we need to act.

Many of my colleagues have said it is about the fact that there is not enough gas supply; we don't have enough inventory. And we hear from oil analysts who give testimony or write articles in the paper that ''gasoline inventories are higher than the historical average at this time of year . . . so there is really no need to worry about the supply being too tight.'' This is an oil analyst who said this in March. Here is somebody analyzing the market who says it is not about the supply being too tight.

We had some people say it is all about refineries, if we just went ahead with refineries producing more and there are all these environmental regulations and they cannot produce more oil. According to CEOs of oil companies, that is not the issue because the CEO of Shell testified that—this is before a Senate committee—''We are not aware of any environmental regulations that have prevented us from expanding refinery capacity or siting a new refinery.'' That is not what the problem is either.

We know it is not any existing regulations because here is another CEO of an oil company who said: At this time, we are not aware any projects have been directly prevented as a result of any specific Federal or State regulation.

I have gone over some of these charts, and I am going over them again tonight because I think it is important for us to get to the bottom of what is going on. We owe it to our consumers, to our constituents to make sure that strong Federal statutes are in place that prohibit market manipulation and that they are enforced and that if markets are out of control—and by that I mean there is no justification for the price—we have somebody in the Federal Government, a Federal agency that is going to police that market and hold people accountable for the manipulation of supply and price.

During the summer season, we actually think consumption in the United States is projected to decline. So this notion somehow that the summer driving season is upon us and all of a sudden the price should go up because more people are going to be driving taking vacations and it is going to have an impact and that is why the price should go up is just not correct. This is a statement by the Energy Information Agency that it declined over last year by three-tenths of a percent and is expected to decline by four-tenths of a percent for the summer. It is not really about the fact that all of a sudden just because it is summer we should pay higher gas prices.

I have shown this chart about supply and demand because it shows in the orange color what demand have been and what supply has been, the yellow line. What is interesting is that supply and demand has been fairly consistent over time; that is, we see some anomalies there, but pretty much supply and demand are being met. So someone cannot say we had in 2007 or 2008 a big gap and that is why today prices are 100 times what they were, over 100 percent from where they were a year ago. You cannot say that because supply and demand are basically constant.

That leaves us to say, What is the problem? What is going on and what is causing this problem? When I think about this issue about what America needs to do to make sure oil markets are policed, to make sure oil markets are functioning, to make sure oil, a commodity that is so important to us in the United States as it relates to our economy, is really properly policed by proper Federal agencies, I look at where this is.

I have said a couple times on the floor now it seems to me that hamburger in America has more regulation as it relates to the futures market than oil does. I am sure some will say: What is the Senator from Washington talking about? What I am talking about is basically this chart which is that cattle futures, which are traded on several platforms, basically do not have any exemptions. They have to comply with all the rules and regulations of the futures market. That means they have to register, people have to know who is buying and selling on that market. They have daily reporting requirements. That means there has to be transparency. And there are speculative limits. Those speculative limits in the market for something such as cattle futures basically say if price gets out of control, then they stop the market. They stop the market; they don't let it just careen out of control.

Yet we look at oil—besides the NYMEX, oil has been traded on these mini-platforms, and you ask: Does it have to meet any of these same requirements as beef? No. Look over here and they are exempt. There is no check mark here. They are exempt. They are an exempt commodity. Why? Because in 2000, they were given an exemption called the Enron loophole that basically said those trades don't have to

comply with the same daily reporting requirements of the futures market. They don't have registration, so we don't know who is impacting that market. We don't know who is doing it. They certainly don't have daily reporting requirements, so there is no transparency, and they don't have any kind of limitation on the speculation. Basically, we have a totally different regime of how futures are treated.

As I said, the important point is that the oil futures price impacts the day-to-day price of oil as well. So it is very important that we have a futures market that functions, that is not manipulated, that has a certain amount of transparency to it, that there are reporting requirements so that if something is amiss in the marketplace, it can be investigated.

Let me be clear. I don't think any oil company or hedge fund or any other organization wants a disruptive market that does not function properly on market fundamentals. That is not good for anybody. So everybody should think that somehow hamburger cannot be more important to America than oil as it relates to our economy, and yet we have given all of these exemptions to oil and said we don't need to know this. We don't need to know this information. It is apparent at these prices that market fundamentals are not working. Supply and demand is not working.

We as a body basically said we want a prohibition on manipulation of oil. We made it illegal for any person to directly or indirectly use ''any manipulative or deceptive device or contrivance'' in connection with the wholesale purchase of crude oil or petroleum distillates. And we said any violators of that law could be fined up to $1 million a day. We did that in December. I think that $1 million per day is a pretty stiff fine to deter people from manipulating the market.

We also said anybody who knowingly provides false or misleading information about the wholesale of crude oil or gasoline prices to a Federal department or agency can also be fined up to $1 million per day.

We believe when we look at the Enron case and we look at some of the information that has been provided in these other markets where there has been manipulation, that providing false information was exactly the way we caught and understood exactly how people were manipulating the market.

That is the legislation that Senator REID and the Democrats pushed and got bipartisan support for in the Senate and we passed in December of last year.

What we have been waiting for is the FTC to act. We have been waiting for the administration to enforce that law. We have been waiting for them to enforce that law by writing the rules and regulations that will police the oil market and catch the manipulators of oil prices in this country.

The good news is the FTC is acting. The FTC, within the last half an hour, 40 minutes, has issued their rule. I have it here. This is the new rule.

It has to go through a public comment period. It has to have the input, I am sure it will be from hundreds of people who will want to say this is how I think this rule should work. I certainly encourage consumers and consumer organizations and my colleagues in the Senate to all respond to this rule because it will be critical that we hear from people.

I think the Chairman of the FTC, Chairman Kovacic, has done a good job saying in a press release just issued:

> We understand consumer prices are being hurt by high gas prices and that the Commission remains vigilant in using this authority to prevent unlawful behavior that affects gas prices.

I congratulate the FTC in issuing this rule. But I want people to understand that this rule in its final implementation is what is going to say to those individuals who are manipulating markets—we don't know yet about oil markets. We certainly know we have found manipulation of electricity markets, we have found manipulation of natural gas markets, we have found manipulation of propane, and we are going to use this law and this new rule to police the oil markets and stop any kind of activity that is spiking the price of gasoline and ruining our economy.

I can't say how important it is that we move forward on this rule. I can't tell you how critical it is because without the proper tools, without the proper policing and a market careening out of control—we had an oil analyst who basically said—I don't know if we have that chart—but he basically said Government has to act because there is too much speculative power running around in the market without the oversight, and Government needs to act. If it does not act, prices are going to keep going up.

I wish to give an example because the Amaranth case was a natural gas case where a hedge fund basically manipulated the market and sold a bunch of product into the market, physically a whole month of supply, to crash the price and then basically end up capitalizing on the fact they had so much control of the market.

Back to a chart that we have on beef and cattle futures, it is the issue that when you look at those markets, one of the reasons you police markets and you look at speculative limits and you have exchange registration is because you want to make sure that not one big player has so much market share it ends up using that in a manipulative way, which is what Amaranth did.

After Amaranth basically collapsed and the Federal Energy Regulatory Commission went after them for the manipulation of these prices, the price of natural gas fell 38 percent. After they got out of the market, the natural gas price fell 38 percent.

I am not saying this is going to happen, but imagine if that same thing happened in the oil markets. What would happen if we found out there was a big player such as Amaranth that was helping drive up the price and you actually could see a reduction of 38 percent from where we are today at nearly $118—$110 a barrel. Oil would be about $75 a barrel. Instead of paying $3.60 a gallon, we would be paying more like $2.40 or $2.50 a gallon. That is what would happen.

It is critical we police these markets and we use this new rule and that consumers respond and that we do our job in the Congress in making sure Federal regulators are on top of what is an out-of-control oil market that is not based on supply and demand, that is based on some other market activity that cannot be explained. Where there is smoke I think there is fire. We certainly see a lot of smoke in the oil markets that I hope will lead the FTC to investigate vigorously, with this new rule, the potential manipulation and stop these practices to help save our economy and save consumers who are getting gouged at the pump.

We are going to continue next week by reminding our colleagues of what we need to do. We need to protect consumers by closing the Enron loophole. As I said, beef futures have all these requirements but oil doesn't. We need to require the oversight of all oil futures markets. This was No. 3 on our list, get the FTC to act with new rules. The FTC did it tonight, issued their rule. I have not even read it in full. I am going to do that as soon as I leave the floor. I am going to see how good the rule is in basically enforcing the power we gave them in the December 2007 Energy bill.

We need to get the DOJ in the act because I think the FTC, while they have the new authority, should be with the CFTC, they should work with the SEC. They did a great job on the Enron task force in compiling across multiple agencies the case against the manipulation of the electricity markets. They should do the same for the oil markets.

Then, as I said before, I think making sure the President has emergency authority on price gouging, such as 28 States do, is also an important tool, and I am sure we will be talking more about that in the future.

Bursting the energy price bubble is what we need to do. We need to burst the energy price bubble that we cannot explain. We do not know why it is there. It is not supply and demand. It is something else going on, and we need to get to the bottom of it. After Amaranth, pricing dropped to the lowest level in 2½ years after their getting out of the market, after their manipulation, after a hedge fund came in and tried to manipulate the natural gas market. When we saw the lowest rate for natural gas in 2½ years after we got that manipulator out of the market, it tells us we have to be vigorous in this battle. We have to be aggressive in protecting our consumers, and that is what the Senate is going to continue to do.

I know the Presiding Officer is on board in that effort. I know many of my colleagues are too. I know Senator REID is as well.

I encourage my colleagues to weigh in on this issue of the FTC rule and policing of the oil markets. I hope we have hearings in the Commerce Committee to do that and that we show the American public the Senate is serious about protecting consumers from the high price spikes in oil that cannot be described as simply market supply and demand.

I yield the floor.

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.

Ms. CANTWELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

ORDERS FOR FRIDAY, MAY 2, 2008

Ms. CANTWELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Friday, May 2; that following the prayer and the 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 that there then be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each. I further ask that the filing deadline for first-degree amendments be 3:30 p.m. on Monday.

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

PROGRAM

Ms. CANTWELL. Mr. President, today we were unable to reach an agreement on the FAA reauthorization bill. As a result, Senator REID filed cloture on the substitute amendment and the bill. The cloture vote on this substitute will occur at 2:30 p.m. on Tuesday. There will be no votes tomorrow and, as previously announced, there will be no votes on Monday.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. CANTWELL. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:33 p.m., adjourned until Friday, May 2, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

SEAN JOSEPH STACKLEY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE DELORES M. ETTER, RESIGNED.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

STEVEN C. PRESTON, OF ILLINOIS, TO BE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ALPHONSO R. JACKSON, RESIGNED.

DEPARTMENT OF STATE

LILIANA AYALDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

TATIANA C. GFOELLER-VOLKOFF, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

EXTENSIONS OF REMARKS

SBIR/STTR REAUTHORIZATION ACT

SPEECH OF

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5819) to amend the Small Business Act to improve the Small Business Innovation Research (SBIR) program and the Small Business Technology Transfer (STTR) program, and for other purposes:

Mr. KUCINICH. Madam Chairman, I rise today in opposition to H.R. 5819, the Small Business Innovation Research & Technology Transfer Reauthorization Act. This legislation squanders a unique opportunity to provide stimulus to our country's small business community.

Congress created the Small Business Innovation Research program after acknowledging that small businesses could not compete with their larger, better-funded corporate competitors in the federal grantmaking arena. With the enactment of the SBIR program, Congress made the clear statement that the innovation and ingenuity of the entrepreneurial spirit of small businesses must be encouraged.

Title II of H.R. 5819 would relax the venture capital investment standards for SBIR grant eligibility, allowing venture capital firms and venture capital subsidiaries of large businesses to increase their ownership in and financial stake of small businesses applying for these grants. This would cause the research priorities of these small businesses to be driven by the short-term profit motives of the venture capital firms. Moreover, these changes would effectively kill the spirit of the SBIR and STTR grant programs, granting access to corporations and other entities whose disproportionate competitive advantages these programs were designed to mitigate.

The small business community in this country deserves better. For decades, small business has been the spark that lights our economy and the energy that fuels it. Let us not undermine their contributions to our economy by weakening the very programs that drive their success.

PAYING TRIBUTE TO GENE SEGERBLOM

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor Gene Segerblom by entering her name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. I rise today to honor Gene Segerblom, who recently celebrated her 90th birthday on March 15th, 2008.

Gene was born in 1918 in Elko County, Nevada. Gene's grandparents had migrated to Nevada as pioneers. She graduated from high school in Winnemucca, and later graduated from the University of Nevada, Reno. She moved to Southern Nevada in 1940 to teach at Boulder City High School. A year later, she resigned from her position at the high school and married Cliff Segerblom, a known judge and talented artist.

Upon the return from their honeymoon, the newlyweds moved to the Republic of Panama, where Cliff was offered a job to be the photographer on the third set of canal locks. They lived there for 6 years, and returned to Boulder City in 1947 where Gene focused on raising her children Robin, Richard, and Tic. After 21 years, she returned to teaching government classes at Boulder City High School. She later embarked on her political career as a city council woman for Boulder City. She worked tirelessly with the Las Vegas Chamber of Commerce as well as the Boulder City Chamber of Commerce to promote Nevada and Boulder City.

In 1991, Gene ran for the Nevada State Assembly and won. She served four terms in the State Assembly and had been the first representative to serve Boulder City in 22 years. Throughout her term, Gene focused on the preservation and restoration of many historical sites, and focused on the development of parks and museums. Gene has dedicated much of her efforts to support the community of Boulder City. She serves on numerous committees including the Boulder City Museum and Historical Association where she serves as the Founding Director and Vice President, the Boulder City Community Club, and the Nevada State Council of Senior Citizens President. Gene was also a champion of the Boulder City Hotel.

Madam Speaker, I am proud to honor Gene Segerblom on this noteworthy occasion for her exemplary life and important contributions to her community. I applaud the way in which she has served Boulder City and congratulate her on this milestone. I wish her a happy birthday and the best of luck in her future endeavors.

REMARKS ON THE ILWU MAY DAY PROTEST OF THE IRAQ WAR

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. SPEIER. Madam Speaker, today many of the 40,000 members of the International Longshore and Warehouse Union—the ILWU—are expressing their outrage at the Administration's war policies and their effect on working families by staging a walkout at ports and other facilities along the West Coast.

I stand in solidarity with these workers whom, like the truckers who mobilized in Washington earlier this week and many other working and middle-class Americans, have simply had enough of the diet of mistruths and deceptions that our President continues to feed the American public.

Madam Speaker, Americans are saying enough is enough. We spend billions every week in Iraq while the government there banks its oil profits and refuses to pitch in to help fund the necessary projects required to get the Iraqi people back on their feet.

Madam Speaker, my tenure in this house is short, but my interest in the institution has been a life-long pursuit. May I say that you have done more to bring peace to our nation and get our troops back home to their families than any other war-time Speaker in our history. I am proud to stand by you and the ILWU as we all do our part to bring an end to this war.

It is time to bring our men and women home to their families and communities. It is time for all Americans, like the Longshore and Warehouse workers, to stand up and tell the President "Enough is enough. End this war before your term is over. Eight tragic years for our country is bad enough, don't saddle future generations with a prolonged commitment in a country we never should have gone into in the first place."

CELEBRATING THE 90TH ANNIVERSARY OF MEMORIAL BAPTIST CHURCH BAYTOWN, TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. POE. Madam Speaker, it is with great honor that I congratulate the members of Memorial Baptist Church in Baytown, Texas as they celebrate their 90th anniversary. This is a remarkable milestone for this community church that modestly began in 1918.

During the 1900s, it was common that church services took place in private homes. In 1918, the Alcorn Family invited John W. Anderson to preach at their home in Goose Creek. Later that year, John W. Anderson became the first pastor of First Baptist Church, Goose Creek known today as Memorial Baptist Church.

Blessed with outstanding leadership and unshakable faith, the congregation continues to be a treasure to the city of Baytown. Memorial Baptist Church is a good example of the positive role that churches play in our communities. Through their ministry and outreach efforts, lead by current pastor Brad Hoffman, they are making a difference in the lives of people.

Today, more than ever, our Nation needs the spiritual nourishment and support that our local churches can provide. It is for this reason that I congratulate the members of Memorial Baptist Church for their dedication and faith as they celebrate 90 years of serving our community.

PERSONAL EXPLANATION

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. ANDREWS. Madam Speaker, I was not present on April 29, 2008. Had I been present, I would have voted "yea" on the following rollcall votes: rollcall 224, rollcall 225, and rollcall 226.

CONSOLIDATED NATURAL RESOURCES ACT OF 2008

SPEECH OF

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 2008

Mr. HASTINGS of Florida. Mr. Speaker, I rise today in strong support of S. 2739, the Consolidated Natural Resources Act of 2008. This omnibus bill contains many essential elements that reinforce the infrastructure of our Nation's historical and natural treasures. Out of the several important pieces of legislation, I would like to emphasize the National Underground Railroad Network to Freedom Reauthorization Act of 2007, which my friend Representative CASTLE and I introduced and led to passage in the House last year.

I would like to once again thank Chairman RAHALL and Subcommittee Chairman GRIJALVA for their support of H.R. 1239 when it passed the House and commend them for bringing this omnibus legislation to the floor today. Additionally, I thank Senator BIDEN for his leadership in introducing the companion to H.R. 1239 and the National Parks Conservation Association for their tireless work for the Network to Freedom and other national park initiatives.

Mr. Speaker, the National Underground Railroad Network to Freedom is the only national program dedicated to the preservation, interpretation, and dissemination of Underground Railroad history included in this legislation. It appropriately adjusts authorization levels for the Network to Freedom to reflect the growth of interest nationally and the resulting expansion of opportunities.

The Consolidated Natural Resources Act of 2008 is part of a concerted movement to overcome the funding challenges that threaten all national parks. In doing so, this legislation appropriately empowers the Network to Freedom by moderately expanding their operating funds and establishing appropriate oversight for grant funds.

If not for the plethora of other reasons to support the overarching legislation, I urge my colleagues to vote for S. 2739 because it truly demonstrates that African-American history is synonymous with American history. This legislation preserves the Underground Railroad Network to Freedom so that future generations will have a chance to learn about our history not only in a book, but with their own eyes.

COMMENDING COLE VALLEY CHRISTIAN SCHOOL SCIENCE BOWL TEAM

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. SALI. Madam Speaker, I rise today to recognize an elite group of students from Cole Valley Christian School in Meridian, Idaho. Christopher Barker, Maxwell Greenlee, Timothy Segert, Adam Tucker and Phillip Grafft will represent Idaho in the 18th annual U.S. Department of Energy National Science Bowl competition in Washington, DC.

The National Science Bowl is an academic challenge involving more than 12,000 high school students across the country. From January through March, regional elimination tournaments were held across the country and the group of four seniors and one junior from Cole Valley Christian prevailed. The 67 winning teams have won the opportunity to compete at the national finals in Washington, DC, May 1–6, 2008.

The mission of the National Science Bowl is to encourage students to excel in science and math, and to pursue careers in those fields. I am proud to congratulate Christopher, Maxwell, Timothy, Adam and Phillip who represent the best of our next generation of scientists, engineers and educators.

The competition is in a fast-paced question and answer format. The students prepared during their lunch break under the guidance of Coach Lola Lynch. Ms. Lynch is described by the students simply as "awesome." I thank her for all the dedication, support, and encouragement she has lent to the students. Though Ms. Lynch is unable to attend the competition in DC, the students will be diligently coached by Tim Berggren.

When asked if they will win, the students said they hope so. But even more, they hope to represent God and Idaho as best as possible.

Christopher, Maxwell, Timothy, Adam, Phillip, Coach Lynch and Coach Berggren: I wish you the best of luck at the Science Bowl. Congratulations on your efforts thus far, you are fine representatives of Idaho.

HONORING JUDITH A. HORN FOR HER WORK WITH THE KINGS PARTNERSHIP FOR CHILDREN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. COSTA. Madam Speaker, I rise today to congratulate Mrs. Judith A. Horn, Director of the "Hand in Hand" Family Resource Center for her work with the Home Garden and Lakeside communities. Today, thanks to her efforts, these communities not only have many educational programs but a resonating voice in local politics that addresses their needs.

I have had the pleasure of working with Judy Horn on a variety of projects throughout her time with the Family Resource Center. As the founding director of the center, Judy laid a strong foundation for the organization, focusing on activism, youth advocacy and crime prevention. Her unique ability to work well with a wide variety of individuals has aided the center immeasurably.

The success of the Kings Partnership for Children, which Judy founded in 1991, is evidenced by the presence of a permanent health clinic, a pre-school, an after-school program, a summer program, and a computer lab for youth in the area. These are direct results of the dedication, commitment, and invaluable drive Judy has always exhibited.

It goes without saying that Judy Horn personifies a woman of great principle and integrity. She is a role model for us all, especially our Valley's upcoming generation of activist youth. It is with great pride that I congratulate Judy for all her work with the "Hand in Hand" Family Resource Center and the Kings Partnership for Children, and thank her for all that she does on behalf of Kings County residents.

IN RECOGNITION OF MR. ANTHONY FLOWERS

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday May 1, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Mr. Anthony Flowers, who was nominated to be the 2008 Delaware Boys & Girls Club Youth of the Year.

The Boys & Girls Clubs of America and the Reader's Digest have nationally sponsored the Youth of the Year program since 1947. The goal of Youth of the Year has been to recognize outstanding members of the Boys & Girls Club and their contributions to their Club, community, school, and family. More than 32,000 youth are served by the Boys & Girls Clubs of Delaware.

Twelve students were nominated for the honor of Youth of the Year through an intensive local and state level selection process, including the nominees' personal contribution to home and family, community, school and their Boys & Girls Club. The nominees had to prepare two essays explaining why post-high school education is important and what the Club means to them. Additionally, students had to prepare a 3–5 minute speech and have an interview session with a panel of judges. The candidates attended the Youth of the Year Summit, where they received professional guidance regarding public speaking, writing, and interviewing skills.

After winning the Local Youth of the Year award, Anthony moved onto the state level competition, where he refined his essay and prepared for the next round of interviews. Anthony was an extremely qualified candidate for the Youth of the Year 2008. Anthony is a Boy Scout and a Keystone Club Member at the Clarence Fraim Boys & Girls Club. Among the candidates for the state Youth of the Year, Anthony won the Highest GPA Award for his 3.63 GPA at Hodgson Vocational Technical High School.

Once again, I would like to commend Anthony Flowers for being nominated as the Boys & Girls Club of Delaware's Youth of the Year.

HONORING SFC RONNIE THOMPSON, JR.

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. LEWIS of Kentucky. Madam Speaker, I rise today to pay tribute to Sergeant First Class Ronnie Thompson, Jr., a remarkable soldier and citizen from Rineyville, Kentucky. SFC Thompson's recovery from a grave injury sustained while serving in Iraq has made him a source of inspiration among his fellow soldiers and throughout the extended Fort Knox community.

SFC Thompson joined the United States Army in 1991 and was assigned to the First Infantry Division. During his early tenure, he completed a deployment to Bosnia and two additional deployments to Kosovo. He was subsequently deployed to Iraq where he served as a Scout Platoon Sergeant with the Air Assault Quick Reaction Force.

On December 11, 2004, SFC Thompson was severely wounded by an improvised explosive device while participating in Coalition efforts in Iraq. He was air evacuated back to the United States and placed in emergency care at the Walter Reed Medical Center in Washington, DC. In the months and years that have followed, SFC Thompson has defied doctor's expectations, emerging from a coma and enduring countless hours of grueling physical therapy.

In his long convalescence, SFC Thompson continues to demonstrate the unique courage and keen sense of duty that made him such an exemplary soldier. In addition to the daily rigors of rehabilitation therapy, he has found time to serve his fellow soldiers as a volunteer at the Fort Knox Veteran Service Office. On the battlefield and off, SFC Thompson has answered the call of his country in a profound way, making deep personal sacrifices to serve others and preserve our freedom and way of life.

It is my great privilege to recognize Sergeant First Class Ronnie Thompson, Jr. today on the floor of the U.S. House of Representatives for his service to our country, support of our soldiers, and lifelong example of leadership and service. His unique achievements make him an outstanding American worthy of our honor and respect.

INJECTING THE IMPROVEMENT OF EDUCATION INTO THE POLITICAL DIALOGUE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RANGEL. Madam Speaker, in the interest of our national security, competitive standing in the world, and criminal justice system—I rise today to rouse dialogue on an issue that implicates all three: education. Recent numbers report that as few as 1 out of every 2 youngsters are not earning high school diplomas in our Nation's biggest cities. For those of us from districts where the need is great, these numbers are far from new, let alone startling. But even as they inspired alarm in the wake of the report's release, they have failed to ignite a national conversation on an issue that demands action, not just today, but yesterday. That alarm has already, regrettably, been snuffed out. We remain, still, oddly hush-hush and complacent.

Many will make an argument of the heart, that to fail to equip these kids with the skills and knowledge they need to eschew poverty and criminality demonstrates an abominable lack of compassion. This is true. But allow me to also make an argument of the mind. These children cannot afford failure—and neither can we. As a nation, we drastically shrink our talent pool and our ability to compete on the global stage when we trade bodies in our college classrooms for bodies on the streets, in jails, even underground. We give way to the rise in influence of China and India and saddle the next generation with a workforce unfit for competition, perennially unemployed and underemployed. That is an explicit and direct threat to our national security.

A New York Times editorial—written by Bob Herbert, published on April 22, and titled "Clueless in America"—makes the case for an America that rises to this challenge, that takes note of our lack of progress, and moves with purpose and innovation towards correcting it.

CLUELESS IN AMERICA

We don't hear a great deal about education in the presidential campaign. It's much too serious a topic to compete with such fun stuff as Hillary tossing back a shot of whiskey, or Barack rolling a gutter ball.

The nation's future may depend on how well we educate the current and future generations, but (like the renovation of the nation's infrastructure, or a serious search for better sources of energy) that can wait. At the moment, no one seems to have the will to engage any of the most serious challenges facing the U.S.

An American kid drops out of high school every 26 seconds. That's more than a million every year, a sign of big trouble for these largely clueless youngsters in an era in which a college education is crucial to maintaining a middle-class quality of life—and for the country as a whole in a world that is becoming more hotly competitive every day.

Ignorance in the United States is not just bliss, it's widespread. A recent survey of teenagers by the education advocacy group Common Core found that a quarter could not identify Adolf Hitler, a third did not know that the Bill of Rights guaranteed freedom of speech and religion, and fewer than half knew that the Civil War took place between 1850 and 1900.

"We have one of the highest dropout rates in the industrialized world," said Allan Golston, the president of U.S. programs for the Bill and Melinda Gates Foundation. In a discussion over lunch recently he described the situation as "actually pretty scary, alarming."

Roughly a third of all American high school students drop out. Another third graduate but are not prepared for the next stage of life—either productive work or some form of post-secondary education.

When two-thirds of all teenagers old enough to graduate from high school are incapable of mastering college-level work, the nation is doing something awfully wrong.

Mr. Golston noted that the performance of American students, when compared with their peers in other countries, tends to grow increasingly dismal as they move through the higher grades:

"In math and science, for example, our fourth graders are among the top students globally. By roughly eighth grade, they're in the middle of the pack. And by the 12th grade, U.S. students are scoring generally near the bottom of all industrialized countries."

Many students get a first-rate education in the public schools, but they represent too small a fraction of the whole.

Bill Gates, the founder of Microsoft, offered a brutal critique of the nation's high schools a few years ago, describing them as "obsolete" and saying, "When I compare our high schools with what I see when I'm traveling abroad, I am terrified for our work force of tomorrow."

Said Mr. Gates: "By obsolete, I don't just mean that they are broken, flawed or underfunded, though a case could be made for every one of those points. By obsolete, I mean our high schools—even when they're working as designed—cannot teach all our students what they need to know today."

The Educational Testing Service, in a report titled "America's Perfect Storm," cited three powerful forces that are affecting the quality of life for millions of Americans and already shaping the nation's future. They are:

1. The wide disparity in the literacy and math skills of both the school-age and adult populations. These skills, which play such a tremendous role in the lives of individuals and families, vary widely across racial, ethnic and socioeconomic groups.

2. The "seismic changes" in the U.S. economy that have resulted from globalization, technological advances, shifts in the relationship of labor and capital, and other developments.

3. Sweeping demographic changes. By 2030, the U.S. population is expected to reach 360 million. That population will be older and substantially more diverse, with immigration having a big impact on both the population as a whole and the work force.

These and so many other issues of crucial national importance require an educated populace if they are to be dealt with effectively. At the moment we are not even coming close to equipping the population with the intellectual tools that are needed.

While we're effectively standing in place, other nations are catching up and passing us when it comes to educational achievement. You have to be pretty dopey not to see the implications of that.

But, then, some of us are pretty dopey. In the Common Core survey, nearly 20 percent of respondents did not know who the U.S. fought in World War II. Eleven percent thought that Dwight Eisenhower was the president forced from office by the Watergate scandal. Another 11 percent thought it was Harry Truman.

We've got work to do.

TRIBUTE TO MRS. MINERVA "MINNIE" RAMIREZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. CUELLAR. Madam Speaker, I rise today to honor Mrs. Minerva "Minnie" Ramirez for her induction as a laureate in the 2008 Laredo Business Hall of Fame, and for her incredible dedication to her friends and colleagues in the business community of Laredo, Texas.

Minerva Ramirez was born on September 20, 1931, to a hardworking ranch family. She started her first job at the age of 12 sweeping floors at the local schoolhouse, and she began

her knack for floral arrangements by making flower arrangements with tin cans and tissue paper in the shape of carnations which were sold for the cemetery. Minerva graduated from high school in 1948 in Hebbronville, Texas, and attended Texas A&I Kingsville. She worked her way through 2 years of college by teaching students at La Alejandrena Elementary School in Zapata County. Minerva was transferred to San Ygnacio, where she met her husband, Robert, and married in 1955. They moved to Laredo, and had three children: Carmen, Minita, and Robert Jr. Minerva taught and served as assistant principal at Ochoa Elementary for 17 years and became principal of Zachry Elementary School in 1981.

She started a flower shop, Carmin's, from the carport of her home in 1965, and the business grew so successful that Minerva retired from her teaching profession in 1986. One of her career highlights was being picked as the florist for the visitation of Pope John Paul II in San Antonio, Texas, in 1988 at the San Fernando Cathedral. Minerva has admirably served the community of Laredo, Texas, through her work as an educator to the youth of Laredo, and her contributions to the business community. For her dedication and hard work as a business entrepreneur, Minerva will be honored by the Junior Achievement League through her induction into the 2008 Business Hall of Fame.

Madam Speaker, I am honored to have had this time to recognize the dedication of Mrs. Minerva Ramirez, and I thank you for this time.

SUPPORTING THE MISSION AND GOALS OF WORKERS MEMORIAL DAY

SPEECH OF

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 2008

Mr. HARE. Mr. Speaker, I rise today in strong support of H. Res. 1154, supporting the mission and goals of Workers Memorial Day, and commend my colleague, Representative EDDIE BERNICE JOHNSON for introducing this important resolution.

Just 2 days ago on April 28th we honored the 20th Annual Workers Memorial Day, when people all over the world gathered to remember the workers who have been killed or injured on the job.

April 28th also commemorated the creation of the Occupational Safety and Health Administration (OSHA). Since 1970, OSHA has been a driving force in improving workplace safety and health conditions across the country. However, the Bush administration has sought to stifle that progress by downsizing OSHA, favoring employer voluntary programs over real enforcement.

A weakened OSHA has real life-or-death consequences for American workers. One such worker is Cintas washroom employee Eleazar Torres-Gomez—father of four—who was killed on March 6, 2007 when he was dragged by a conveyor belt into an industrial dryer.

Mr. Torres-Gomez's fate is unfortunately too common—16 workers die every day in our country from work-related injuries. In 2005 alone, over 5,700 workers were killed at work, and the situation is only getting worse. The Bureau of Labor Statistics found that the number of workplace deaths jumped by more than two percent between 2005 and 2006.

Last year, Representative LYNN WOOLSEY and I, along with Senator TED KENNEDY introduced the "Protecting America's Workers Act," which amends OSHA to cover more workers, increases penalties and strengthens protections and accountability. The best way to honor Mr. Torres-Gomez and all the other workers who have been killed at their jobs is to quickly send this bill to the President's desk.

Again, I thank Representative EDDIE BERNICE JOHNSON for introducing this resolution to honor our workers.

COMMENDING THE EFFORTS OF THE VILLAGE OF BETHALTO, ILLINOIS FOR ENVIRONMENTAL CONSERVATION

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in commending the efforts of the Village of Bethalto for their service to the community and the environment by developing green spaces and parks around its community.

Recently, the Village of Bethalto christened the Culp Lake Park on the northwest portion of the community. This newly opened public space is an inspiration to other cities hoping to brighten their communities and provide their citizens with opportunities to enjoy the outdoors.

In the early 1960's, the Village of Bethalto developed a 17-acre lagoon site that, after years of disregard, became connected with the Alton Sewer Treatment Plant in 1972. While village officials sought to transform the lagoon for many years, it was not until Mayor Steve Bryant began the final push that ultimately led to the gorgeous green space there today.

In 1997, Mayor Bryant and village officials established a park plan that envisioned not just a green space, but a versatile area with recreational facilities, picnic pavilions, and beautiful landscaping. With urban sprawl on the rise, Mayor Bryant and village officials decided it was time to turn this blighted area of the village into a family friendly environment.

In order to keep costs at a minimum, village officials acquired grant funding from Madison County and the State of Illinois that led to the clean-up and filling in of the lagoon, the formation of a 4 acre fishing lake, and the ultimate creation of the park.

Not only was this effort championed by the Village Board, residents of the village took it upon themselves to contribute. The Bethalto Boys and Girls club, for example, donated and planted trees at the park.

Thanks to this type of effort, the Metro-East, located across the Mississippi River from St. Louis, Missouri, boasts the largest percentage of green spaces among the top 10 metropolitan areas in the State of Illinois.

Madam Speaker, I ask my colleagues to join me in commending the efforts of Mayor Steve Bryant and the village officials from Bethalto, Illinois for their dedication to environmental conservation.

RECOGNIZING ATTORNEY JOHN TUCKER

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. POE. Madam Speaker, today I come to recognize the many achievements of the man known as "the wizard of trial law," John G. Tucker, who passed away at the age of 100 in January 2008. With his signature bow tie and flat top hair cut, Tucker was a fixture of the legal profession in Southeast Texas for over 75 years.

Tucker's father was an Army officer serving in Cuba as part of a peacekeeping force where officers were allowed to have their families live with them. His wife was 8 months pregnant when they found out that if born on Cuban soil, their son could never run for President of the United States. Knowing her son was destined for greatness, Tucker's mother set sail for New York City and eventually landed in Kansas City, Kansas, where John was born.

Though he never ascended to the highest office in the United States, Tucker was rather successful in all of his endeavors. He attended college in Pennsylvania and went on to graduate from Harvard Law School. John moved to Southeast Texas in the middle of the Great Depression of the 1930s, determined to take advantage of the boom created by the oil refineries. He joined the law firm created by William Orgain in 1933. The name was changed to Orgain, Bell, and Tucker in 1945 and continues to set the bar for legal excellence to this very day.

John Tucker tried over 90 cases in state and federal court and has argued cases before the Texas Supreme Court. He was deemed a Southeast Texas Legend by the Beaumont Foundation of America scholarship board in February 2007, becoming only the second person at the time to earn such honor.

On behalf of the Second Congressional District of Texas, I want to honor John G. Tucker for his lifetime of accomplishments. Through his diligent efforts and dedication he has made Southeast Texas a better place to live for generations to come.

HONORING MR. MICHAEL J. QUINN

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. ANDREWS. Madam Speaker, I rise today to honor Michael J. Quinn, senior news writer for CBS News Philadelphia, who retired on April 24, 2008. Mr. Quinn began working in TV news in 1961 at Channel 10, a CBS affiliate. During his tenure with Channel 10, Mr. Quinn served as a news writer, newscast producer, reporter and news anchor. In 1984, Mr. Quinn began working at CBS 3 Eyewitness News, serving as a senior news writer and as a producer for the "Newsmakers" program.

Mr. Quinn has covered many major events over the past decades, including numerous presidential elections. In 1988, he was the associate producer for coverage of the presidential caucuses in Iowa. Mr. Quinn was the producer of the 2000 Republican National Convention CBS coverage in Philadelphia. Mr. Quinn also was the producer of the inauguration coverage of President George W. Bush in both 2001 and 2005.

Madam Speaker, Mr. Quinn spent his long career providing the people of Philadelphia with compelling news coverage. Mr. Quinn's hard work and dedication to his chosen field has touched the lives of millions of Americans. I commend Mr. Quinn for his commitment to broadcast journalism and wish him the best for his retirement.

FORTIETH ANNIVERSARY OF THE ''CHRONICLE OF CURRENT EVENTS''

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. HASTINGS of Florida. Madam Speaker, this week marks the 40th anniversary of the initial publication of the ''Chronicle of Current Events,'' the ''underground newspaper of record,'' if you will, of the Soviet human rights movement in the years before the collapse of the Soviet Union.

The ''Chronicle'' was a samizdat, or ''self-published,'' journal created to break through the government's monopoly on the flow of information and report to its readers the truth about human rights in the ''workers' paradise.'' Described recently by the Russian human rights organization ''Memorial'' as the ''fullest and most precise compilation of historical information about dissident activity and political persecutions in the USSR between 1968 and 1982,'' it was distributed via underground channels to readers in the Soviet Union and to foreign journalists and diplomats. In short time, the ''Chronicle'' gained a reputation for veracity and straight-forward reporting, and when copies reached the West, the contents were broadcast back to the Soviet Union by international radio stations such as Radio Liberty, BBC, Deutschewelle and others.

Meanwhile, the KGB expended a huge amount of effort and time to expose and apprehend the editors, contributors, and distributors of these two dozen or so typewritten sheets of onionskin paper. Possession, and especially distribution, of the ''Chronicle'' could result in lengthy labor camp sentences and internal exile. As might be expected, the list of persons involved in producing the ''Chronicle'' is a ''Who's Who'' of former Soviet dissidents and political prisoners. Despite the hardships and dangers involved, these brave individuals managed to compile and distribute over 60 issues of the publication.

Besides supplying otherwise unavailable information on human rights issues, the ''Chronicle'' inspired the establishment of similar publications devoted to specific themes and geographic regions. These would include the fate of the Catholic Church in Lithuania, the abuse of psychiatry for political purposes, and the fate of national minorities, such as the Crimean Tatars, under the Soviet system.

Madam Speaker, I would also mention that through the tireless efforts of Mr. Edward Kline, Professor Peter Reddaway, and exiled Soviet dissidents Valery Chalidze and Pavel Litvinov, an English version of the ''Chronicle'' became available in the West, allowing many non-specialists to become familiar with the deplorable human rights situation in the Soviet Union.

Eventually, with former KGB head Yuri Andropov in command in the Kremlin, the authorities managed to imprison, exile, or neutralize so many contributors to the ''Chronicle'' that it ceased publication in 1982. However, the folly of insulating the Soviet system from the free flow of information that was encircling the globe while trying to maintain a decent economy, let alone super-power status, was becoming by this time obvious to the more perceptive apparatchiks in the Kremlin's corridors of power. Three years later, Mr. Mikhail Gorbachev was selected to lead the Communist Party, and 6 years later the hammer and sickle banner of Soviet communism was replaced by the tri-color of the Russian Federation.

Today, Russia and the nations that comprised the Soviet Union are now independent and sovereign states. However, the free flow of information and media pluralism, though in immeasurably better condition than during the Soviet period, is still problematic. As Freedom House points out in its recently issued annual survey of press freedom throughout the world, Russia is among several nations of the former Soviet bloc that have suffered setbacks in the area of press freedom. There seems to be a rush by the government to characterize, with little serious justification, as ''extremist'' certain books and articles, opposition journalists and newspapers have been harassed, and new legislation recently introduced in the Duma would make it easier for the government to close down media outlets for allegedly publishing libel and slander.

Madam Speaker, let us hope that President-elect Medvedev recognizes that if Russia is to prosper in the global community, the free flow of information must be a vital component of the nation's commercial, social, and political infrastructure, and that if Russian citizens wish to view underground publications such as the ''Chronicle of Current Events,'' they might better find them freely available in museums and libraries.

RECOGNIZING PRUDENTIAL SPIRIT OF COMMUNITY AWARDS WINNERS

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. SALI. Madam Speaker, I rise today to recognize three admirable teens from Idaho. Danielle Manning, 15, of Meridian, and Taylor Leavitt, 14 of Melba were recently named the top two youth volunteers in Idaho for 2008 in the 13th annual Prudential Spirit of Community Awards.

The Prudential awards are the country's largest program that recognizes the power of youth volunteerism. Additionally, Katie Williams of Eagle was named a finalist in the program.

Danielle saw a need in her community to help teen mothers. She collected more than 700 packages of diapers and raised almost $1,300 to stock Marian Pritchett High School in Boise, a public school for teen mothers, with diapers.

Taylor saw a need in his community too. The 8th grader worked on several volunteer projects such as rounding up Boy Scouts to mow the lawn, pick up garbage and clean out the garage of a grieving family. They also spent time with local senior citizens and helped folks moving into the community.

Katie worked with a group of high school girls to collect more than $70,000, books and school uniforms for a school in the slums of Nairobi, Kenya. Katie will receive an engraved bronze medallion as a finalist.

These three students deserve our appreciation and gratitude. They represent the greatness that our youth have to offer, demonstrating the power each one of us has to contribute to our communities and help our neighbors. And I note they did so without the aid or intervention of a government agency or federal program.

Thank you Danielle, Taylor and Katie for your willingness to dedicate your time to worthy causes. Your work serves as an example for all of us.

A TRIBUTE TO THE LIFE OF ANNA M. SANDERS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. COSTA. Madam Speaker, I rise today along with my colleague from California, Congressman DENNIS CARDOZA to pay tribute to the life of Anna M. Sanders of Merced, California, who recently passed away at 88 years of age. Mrs. Sanders was an exceptional lady filled with passion, love and a voracious appetite for knowledge. She leaves behind a loving family including three sons, three grandsons, two granddaughters, and one great granddaughter.

A longtime Democrat, Anna spent nearly 40 years of her life as a teacher with the Atwater Elementary School District. As a zealous educator, she took great pride in the successes of her students. Over the years she was able to encourage and motivate countless young minds.

Anna spent her life in California's Central Valley, where she got both her bachelors and masters degrees. She also tenderly raised her three sons in the area, while maintaining a household which was often described as painstakingly organized.

Anna was the type of woman who took great care in everything she did. Her zest for life included an interest in greeting cards, crossword puzzles, and current politics. It is then to no one's surprise that one of her sons is a teacher, and the other two are actively involved in local and state politics.

A woman described as kindhearted and courageous, Anna worked to advance the causes of groups who were marginalized, oppressed and underserved by volunteering her time with many worthwhile organizations. Anna will be remembered for her formidable spirit and splendid character.

It goes without saying that Mrs. Anna Sanders was a positive influence in the area. Her

commitment to family and community will forever live in the lives of the people she so graciously touched. I am honored and humbled to join her family in celebrating the life of this amazing woman who will never be forgotten.

IN RECOGNITION OF MR. CHARLES ROBINSON-SNEAD

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday May 1, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Mr. Charles Robinson-Snead, who was nominated to be the 2008 Delaware Boys & Girls Club Youth of the Year.

The Boys & Girls Clubs of America and the Reader's Digest have nationally sponsored the Youth of the Year program since 1947. The goal of Youth of the Year has been to recognize outstanding members of the Boys & Girls Club and their contributions to their Club, community, school, and family. More than 32,000 youth are served by the Boys & Girls Clubs of Delaware.

Twelve students were nominated for the honor of Youth of the Year through an intensive local and State level selection process, including the nominees' personal contribution to home and family, community, school and their Boys & Girls Club. The nominees had to prepare two essays explaining why post-high school education is important and what the Club means to them. Additionally, students had to prepare a 3–5-minute speech and have an interview session with a panel of judges. The candidates attended the Youth of the Year Summit, where they received professional guidance regarding public speaking, writing, and interviewing skills.

After winning the Local Youth of the Year Award, Charles moved on to the State level competition, where he refined his essay and prepared for the next round of interviews. Charles was a highly qualified candidate for the Youth of the Year 2008. At Laurel Boys & Girls Club Charles serves as a tutor and mentor for other club members.

Once again, I would like to commend Charles Robinson-Snead for being nominated as the Boys & Girls Club of Delaware's Youth of the Year.

HONORING BONNIE COX

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. LEWIS of Kentucky. Madam Speaker, I rise today to pay tribute to Bonnie Cox, a remarkable employee and public servant at the Department of Disability Determinations in Frankfort, Kentucky. Bonnie is retiring this month, ending her three decade career in Kentucky State government.

Bonnie began her career at the DDS in the operations support branch and advanced through numerous positions to her current executive secretary position in the Commissioner's office. She has spent the last 25 years with the Department of Disability Determinations.

Bonnie has been an invaluable participant in many events outside the realm of her daily job duties. She has been the chairperson for the agency's Kentucky Employees Charitable Campaign and has worked tirelessly in this capacity. Having been touched by the generosity of KECC in her own personal life, Bonnie was the perfect advocate for KECC at the agency and brought a newfound inspiration into the DDS regarding this worthy organization.

In addition to her compassion, dedication, and good works for KECC, Bonnie also organizes appointments for the Red Cross blood drive, is instrumental in preparing information for the PRIDE, People Responsibly Influencing Decisional Excellence awards, and organizes retirement receptions and other noteworthy meetings within the DDS. She has received numerous awards and commendations for her dedication and commitment to these endeavors.

Bonnie has touched countless lives through her contacts with congressional inquiry claims. Her caring attitude and compassionate spirit have made her one of the strongest advocates for Kentucky's disabled citizens.

State government will lose a ''voice'' for the disabled and a friend to all when Bonnie retires. On behalf of the countless men and women who have benefited from her dedicated service, I would like to express my profound appreciation to Bonnie Cox and wish her a very happy and healthy retirement.

THE UNITED STATES NEEDS TO PROVIDE COUNTER-NARCOTICS ASSISTANCE TO CARIBBEAN COUNTRIES TO ERADICATE ILLEGAL DRUG ACTIVITY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RANGEL. Madam Speaker, I rise today to support H. Res. 865 which urges the United States Government to consider fully and carefully the recommendations in the UNODC and World Bank Report entitled ''Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean.''

Although using Caribbean nations as major transit points for illegal drugs is not a new problem, it does shed light on a longstanding issue—the U.S. policy on providing assistance to the Caribbean nations in combating illegal drug activity. A major contributing factor to illegal drug activity remains the lack of resources Caribbean nations possess to combat this growing and menacing problem.

This problem will not resolve itself. Some steps the United States should take to assist the member states of CARICOM and the Dominican Republic include, but are not limited to: coordinating policy development and implementation, providing counter-narcotics assistance, and a continuance of policy initiatives that are working, such as the bilateral cooperation between the United States and the Government of Jamaica. Under this initiative, the U.S. provides training and material support to sections of Jamaican law enforcement agencies to strengthen their counter-narcotics capabilities. This is an excellent example that should be modeled throughout the Caribbean.

It is imperative for the United States to work with CARICOM member states and the Dominican Republic to establish effective programs to mitigate and ultimately, eradicate illegal drug activity. This will take a coordinated and aggressive collaboration by CARICOM member states, the Dominican Republic and the United States to have an impact on drugs being transported through the Caribbean and into the U.S. Even though this is a very daunting problem, working together and fully and carefully considering the recommendations in the UNODC and World Bank report is certainly a major step in the right direction.

TRIBUTE TO MR. FERNANDO ''CHITO'' SALINAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. CUELLAR. Madam Speaker, I rise today to honor Mr. Fernando ''Chito'' Salinas for his induction as a laureate in the 2008 Laredo Business Hall of Fame, and for his incredible dedication to the city of Laredo, Texas.

Fernando Salinas is a 1942 graduate of Martin High School, and attended Tulane University in New Orleans after transferring from Texas A&M University in College Station, Texas. After attending Tulane, Fernando returned back to work at his family's department store, Los Dos Laredos, in downtown Laredo. Five years later, he worked as a salesman at the famed Joe Brand store, and used his knowledge of men's retail to launch his own new department store, Don Antonio's in 1952. The business flourished during the 1960s, attracting a steady clientele from both sides of the United States-Mexico border.

After his retirement from the retail business in 2005, Fernando established a charitable trust that has donated $1.35 million for causes that enrich education, the arts and human services, and pledged nearly $95,000 in scholarships for college-bound students. The scholarships are given to hard-working students at Laredo Community College and Texas A&M International University. Fernando has admirably served the community of Laredo, Texas, through his philanthropic work at his charitable trust. He has also contributed to the youth of Laredo through his Junior League Achievement sponsorship of Christen Middle School. For his dedication and hard work in making the Laredo business community stronger and better, Fernando will be honored by the Junior Achievement League through his induction into the 2008 Business Hall of Fame.

Madam Speaker, I am honored to have had this time to recognize the bravery and dedication of Mr. Fernando Salinas, and I thank you for this time.

COMBUSTIBLE DUST EXPLOSION AND FIRE PREVENTION ACT OF 2008

SPEECH OF

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 2008

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 5522) to require the Secretary of Labor to issue interim and final occupational safety and health standards regarding worker exposure to combustible dust, and for other purposes:

Mr. HARE. Madam Chairman, I rise today in strong support of H.R. 5522, the Combustible Dust Explosion and Fire Prevention Act and commend Chairman GEORGE MILLER for his tireless efforts on behalf of America's workers.

Our Nation was horrified by news of the February 7 explosion at the Imperial Sugar Refinery in Port Wentworth, GA. I think we were even more stunned by the fact that it was caused by "combustible dust." Although, combustible dust explosions are well documented by the Chemical Safety Board, most employers, workers and the general public are not aware that accumulated dust can cause such destruction. Therefore, it comes as no surprise that not enough is being done to keep workplaces clean and safe from this hazard.

During a March 12, 2008, hearing in the Education and Labor Committee, the Occupational Safety and Health Administration, OSHA, Assistant Secretary, Edwin Foulke testified that OSHA has established a housekeeping and ventilation standard, as well as developed programs to address combustible dust hazards. While I appreciate these efforts, frankly they are not enough.

For one, the housekeeping standard is too vague to be useful, and secondly, these measures are "voluntary." When regulations are voluntary, people do not follow them. In my experience as the former President of UNITE HERE Local 617, most employers do not address hazards if doing so interferes with their bottom line or costs time and money.

At this same hearing, witnesses also testified that absent a comprehensive OSHA standard for combustible dust, no one can be confident that dust hazards will be cited and corrected prior to the occurrence of additional accidents.

In fact, the Chemical Safety Board ruled that in addition to the Imperial Sugar incident, several other recent refinery explosions in North Carolina, Kentucky and Indiana could have been prevented if the facilities had complied with the safety and engineering practices contained in National Fire Protection Association standard 484 and 654.

I have often said in this House how frustrated I am that we wait for an emergency to occur before reacting, rather than working to prevent it in the first place. We tend to pass laws, establish regulations and mitigate hazards after disasters and fatalities have occurred.

Today, by passing the Combustible Dust Explosion and Fire Prevention Act, we take a proactive step to protect workers rather than waiting for even one more injury.

Specifically, this bill directs OSHA to issue an interim final combustible dust standard within 90 days. The standard would include measures to minimize hazards associated with combustible dust through improved housekeeping, engineering controls, worker training and a written combustible dust safety program. OSHA would then be required to issue a final standard within eighteen months. In addition to items required in the interim standard, the final standard would include requirements for building design and explosion protection. Finally, OSHA would have to include combustible dusts in the Hazard Communication Standard which requires workers to receive information and training about the hazards they face.

Again, I thank Chairman MILLER and the committee staff for their hard work on this legislation and urge all my colleagues to vote "yes" on final passage.

RECOGNIZING THE HONORABLE KENNETH GRAY, RETIRED U.S. CONGRESSMAN FROM ILLINOIS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in recognizing the distinguished career of the Honorable Kenneth Gray and to express appreciation for his years of service to his country and to the residents of southern Illinois.

A native son of West Frankfort, IL, Ken is a man of varied interests and talents. He was both a licensed pilot and auctioneer. From 1942 to 1954, he owned Gray Motors in West Frankfort and also operated an air service in Benton from 1948 to 1954.

In World War II, Ken answered his country's call to service at the age of 18, which took him to North Africa and Italy as well as combat missions over southern France and central Europe. Ken's decorations for his service in World War II included 3 bronze stars.

Upon returning home from the war, Ken became involved in assisting his fellow veterans and it was through these endeavors that he was encouraged to run for the U.S. Congress. Ken won election from the 25th Congressional District of Illinois in 1954 as a freshman member of the 84th Congress and he continued to serve for a total of 10 successive terms. Because of health concerns, Ken did not run for re-election in 1974 but ran again, and won, in 1984 and served another two terms, representing his beloved southern Illinois in the U.S. House of Representatives.

As a U.S. Congressman, Ken was a tireless advocate for the needs of the people of southern Illinois and built a reputation as a member who worked well with his colleagues to get the job done. On a personal note, I have always been grateful to Ken for what he did for me when I was first elected to Congress. I was elected in a special election in August 1988 to complete the term of Mel Price, who passed away that year. Ken resigned his position on the Transportation Committee, which made a seat available for me and gave me seniority over other members who were first elected in 1988 to start the 101st Congress.

Since retiring from Congress in 1988, Ken has continued to work hard for the needs of the people of southern Illinois. He has served on several boards and projects, most notably as a board member of the Rend Lake Conservancy District. He has also worked on a number of initiatives to improve rural health care, especially in Franklin County, IL. Ken is frequently a speaker at local political and charitable events which benefit a number of organizations, such as the Poshard Foundation for Abused Children.

Madam Speaker, I ask my colleagues to join me in an expression of appreciation to the Honorable Kenneth Gray for his years of service to this body and to the people of southern Illinois and to wish him and his family the very best in the future.

WOMEN IN THE PETROCHEMICAL INDUSTRY—LISA VANDER LAAN

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. POE. Madam Speaker, today I am proud to pay tribute to Lisa Vander Laan, Plant Manager of ExxonMobil's Chemical Polyethylene Plant, in Beaumont, Texas.

Mrs. Vander Laan earned a bachelor's degree in chemical engineering from Louisiana State University, graduating summa cum laude and receiving the University Medal. She joined Exxon Corporation in 1989 as a process engineer in Baton Rouge, Louisiana, and spent her first decade in various manufacturing assignments in engineering and supervision before becoming intermediates technical manager.

Vander Laan spent the next 7 years at the corporation's Houston headquarters for chemicals in marketing and business planning, as global basic chemicals financial manager, americas low density polyethylene product manager; and ExxonMobil Chemicals global manufacturing planning manager. In February 2007, she took over at the polyethylene plant in Beaumont as plant manager.

Mrs. Vander Laan is seeing more women in leadership roles in the petrochemical industry. When she started in engineering, there were very few female supervisors and managers. She now believes there are significantly more women in the petrochemical industry jobs like chemical engineering. She says ExxonMobil encourages girls to get into math and science, and has an "Introduce a Girl to Engineering Day" in the spring.

Chemical Engineering seems to run in the family. Vander Laan's father is a chemical engineer as well as an older and younger sister, in addition, "all the girls married ExxonMobil guys". She is married to Jeffrey Dale Vander Laan and has two children, Cecilia and Abigail. She doesn't know if her daughters will show interest in chemical engineering like she and her sisters, who love math.

Mrs. Vander Laan is on the board of the Beaumont Area United Way and a member of the Southeast Texas Plant Manager's Forum, for which she serves as chairman of the environmental committee.

Madam speaker, Lisa Vander Laan is a success story in the male dominated petrochemical industry, and I am proud to celebrate her accomplishments.

COMMEMORATING WORLD MALARIA DAY AND THE WORK OF JHPIEGO

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RANGEL. Madam Speaker, I rise today to recognize World Malaria Day.

Every 30 seconds, a child dies from malaria. More than 1 million people die of malaria every year, mostly infants, young children and pregnant women and most of them in Africa. Approximately 40 percent of the world's population, mostly those living in the world's poorest countries, is at risk of malaria. Every year, more than 500 million people become severely ill with malaria. Since the 1970s, significant investments have demonstrated that malaria control is working, and given hope for preventing the 1 million deaths caused by malaria each year. With the advent of new tactics, elimination and, ultimately, eradication of malaria may be possible. Because malaria is a massive global scourge and a medically complex disease, the pathway to eradication is a long one. Achieving eradication will depend on carefully coordinated, balanced efforts to build upon malaria control and elimination programs. Building a pathway to eradication will take time, but it is possible if all stakeholders collaborate today to prevent malaria deaths in Africa and elsewhere. Now is the time to begin charting the course.

Organizations like Jhpiego, an affiliate of Johns Hopkins University, reach across borders to fight a disease that has no borders. Jhpiego is working to combat the devastating effects of malaria by bringing innovative approaches and putting research to practice to improve the health of women and families throughout the world. For example, in Nigeria, it is preparing community volunteers in remote areas to extend malaria services to pregnant women who are not in contact with a formal healthcare system. The volunteers are trained to educate pregnant women on the steps necessary to prevent malaria. Additionally, the workers also distribute preventative medicine and insecticide-treated bednets. Once rolled out to full scale, this community based intervention will help break down some of the barriers to high-quality healthcare for the world's most vulnerable populations.

Jhpiego is a leader in developing innovations that break down the barriers and build more sustainable local health care systems globally. Jhpiego works in 12 African countries to support program implementation for malaria in pregnancy (MIP) prevention and case management.

TRIBUTE OF MR. AND MRS SHASHI AND PRIYA VASWANI

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. CUELLAR. Madame Speaker, I rise today to honor Mr. and Mrs. Shashi and Priya Vaswani for their induction in the 2008 Laredo Business Hall of Fame, and for their incredible dedication to the youth in the City of Laredo, Texas.

Shashi came to Laredo from Canada with his family in 1981 as a high school sophomore, and married his wife, Priya, in 1987. They lived and worked in the Carribean and the Rio Grande Valley before moving back to Laredo in the early 1990s. Shashi and Priya opened About Time, a video arcade, in the 1990s. In 2004, they were able to open a La Quinta Inn and Suites, which allowed them to use a part of their profits to fulfill their dream of establishing the Laredo Heat soccer franchise. The Heat Youth association now has 28 teams playing in Laredo, and this interest in soccer as a physical activity would not have happened if not for the Vaswanis.

Shashi and Priya plan to fund improvements to Texas A&M International University's two soccer fields with the goal of making the fields the home base for future Laredo Heat games. They strongly believe in the value of physical activity as a complement to the full education of the youth in Laredo. They have learned the value of hard work and sacrifice and have stressed their belief in the importance of a college degree to young soccer players. This couple has admirably served the community of Laredo, Texas, through their business entrepreneurship and their work with the youth in Laredo. For their dedication and hard work in making Laredo a better place for children in exercising their physical talents, they will be honored by the Junior Achievement League through their induction into the 2008 Business Hall of Fame.

Madam Speaker, I am honored to have had this time to recognize the dedication of Mr. and Mrs. Shashi and Priya Vaswani to the City of Laredo.

CONGRATULATING BEDINGTON RURITAN CLUB'S 50TH ANNIVERSARY

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mrs. CAPITO. Madam Speaker, I rise today to honor a civic organization in my district which will celebrate its 50th anniversary on May 6, 2008.

The Bedington Ruritan Club located in Berkeley County, WV, started on April 16, 1958 under the guidance of the nearby Marlowe Ruritan Club.

For half a century now, the Bedington Ruritan Club has served the citizens of the Bedington area community. The club takes on many civic projects including picking up litter on nearby roadways, sponsoring an essay contest and contributing to Bedington Elementary and Potomack Intermediate Schools, maintaining the "Light Ceremony" in Scrabble, and holding fundraisers for various community projects.

The Bedington Ruritan Club building is located on Route 11 North and once a month on Saturday's you can find the Ruritan members serving some of the best BBQ chicken in Berkeley County!

Madam Speaker, I rise today to congratulate the members of the Bedington Ruritan Club for 50 years of civic engagement and service. It is an honor to represent such a dedicated citizenry in West Virginia's eastern panhandle.

RECOGNITION OF WEST VIRGINIA'S ARMY NATIONAL GUARD AS BEST IN THE NATION

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RAHALL. Madam Speaker, I rise today to recognize West Virginia's Army National Guard for earning a Special Category "First Place" award in the prestigious Army Communities of Excellence (ACOE) competition.

West Virginia scored highest among 28 states and territories that entered this year's contest. The award recognizes performance excellence in business process improvement, individual and corporate innovation, and dedication to providing support to soldiers and families.

Our heroic men and women in uniform are never far from my thoughts. They are our Nation's consistent example of valor and courage. West Virginia's Army National Guard performance illustrates those qualities in the ACOE competition, during which they were recognized for having a strong strategic planning process, communication that flowed well throughout all levels of the organization, and a customer-driven focus that sought to create value and promote personal learning and social responsibility.

This award reflects the hard work and dedication of the men and women not only of the West Virginia Army National Guard, but also of every family member and friend that stands behind them. It is important to remember that our brave men and women have given so much and have expected so little in return. I am proud to take this moment to recognize the excellence of the West Virginia Army National Guard in all that they do to keep us safe from harm.

Our Armed Forces have paid the debt for the freedom we enjoy today, and I will continue, as I have in the past, to do everything I can to honor their sacrifices and service. Our veterans, just as our soldiers today, remain foremost in the thoughts and minds of Southern West Virginians, and I will continue to devote my all to those who wear or have worn America's uniform.

SBIR/STTR REAUTHORIZATION ACT

SPEECH OF

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 23, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5819) to amend the Small Business Act to improve the Small Business Innovation Research (SBIR) program and the Small Business Technology Transfer (STTR) program, and for other purposes:

Mr. WAXMAN. Madam Chairman. It is with some reservation that I rise in favor of H.R. 5819, a bill to reauthorize the SBIR and STTR program.

I strongly support these programs which give seed money to help small businesses advance innovative research ideas. They are engines of job growth and entrepreneurship that have produced dynamic inventions with a

broad array of commercial applications. I am pleased that this measure adds energy, climate change, and rare diseases as eligible topics for projects funded through SBIR awards. These additions demonstrate the broad horizon of challenges that dynamic small businesses around the country can help tackle.

I do have concerns, however, about a change made by this bill to allow small businesses that are majority-owned by venture capital investors to participate in the program. While I recognize the value in expanding the number and quality of applicants to the SBIR and STTR grant programs, I would not want to see these changes have the unintended result of skewing the grant programs toward companies with venture capital support.

There are many companies that do valuable R&D work, but have not been attractive to or interested in venture capitalist investment. In fact, it is often these companies that are a particularly good fit for the SBIR and STTR programs, which provide grants in the early conceptual stages to help small businesses get their products off the ground. Although the increased funding authorized for the programs will hopefully see more projects funded overall, it would be troubling to see favoritism for projects because they have a venture capital ''stamp of approval''.

It is important that this bill only authorizes the program for 2 years so that Congress will be able to closely examine how these changes are implemented. If necessary, we will have the opportunity to make further adjustments to prevent deserving applicants without venture capital funding from being marginalized in the SBIR and STTR application process.

HONORING THE LIFE OF ARMY SPECIALIST JACOB J. FAIRBANKS

HON. BETTY McCOLLUM

OF MINNESOTTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. MCCOLLUM of Minnesota. Madam Speaker, I rise to remember and honor the life and courage of U.S. Army Specialist Jacob J. Fairbanks. This 22-year-old native of St. Paul, Minnesota, died in Baghdad on April 9, 2008.

Specialist Fairbanks joined the Army in 2004 after graduating from Johnson High School, where he was a member of the Junior ROTC. His second deployment to Iraq began last October for a tour of duty as a field artilleryman. He was assigned to B Battery, 1st Battalion, 320th Field Artillery Regiment, 2nd Brigade Combat Team of the 101st Airborne Division, Fort Campbell, Kentucky.

Fairbanks served his nation and his fellow soldiers with honor and courage. His commitment to this noble service earned him the Army Commendation Medal, the Good Conduct Medal, the National Defense Service Medal, the Iraqi Campaign Medal, the Army Service Ribbon and the Overseas Service Ribbon. He was a proud member of the Leech Lake Band of Ojibwe and will be remembered as an outgoing man, dedicated to his family.

Madam Speaker, please join me in paying tribute to Specialist Fairbanks. He is a Minnesotan and American hero. His desire to serve his nation is an inspiration to his community. Specialist Fairbanks' wife Dwan, daughter Kayla, stepchildren Alexander, Katelin, and David, his mother Janette, father Steve, stepfather Jeff, his many friends, and his comrades in Iraq have my deepest sympathies for their profound loss.

TRIBUTE TO ELKINS HIGH SCHOOL

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. LAMPSON. Madam Speaker, on May 3–5, 2008, more than 1,200 students from across the country will visit Washington, D.C. to take part in the national finals of We the People: The Citizen and the Constitution, the most extensive educational program in the country developed to educate young people about the U.S. Constitution and Bill of Rights. Administered by the Center for Civic Education, the We the People program is funded by the U.S. Department of Education by act of Congress.

I am proud to announce that a class from Elkins High School will represent the State of Texas at this prestigious national event. These outstanding students, through their knowledge of the U.S. Constitution, won their statewide competition and earned the chance to come to our Nation's capital and compete at the national level.

While in Washington, the students will participate in a three-day academic competition that simulates a congressional hearing in which they ''testify'' before a panel of judges. Students demonstrate their knowledge and understanding of constitutional principles as they evaluate, take, and defend positions on relevant historical and contemporary issues. It is important to note that independent studies of the We the People program indicate that alumni of this nationally acclaimed program display a greater political tolerance and commitment to the principles and values of the Constitution and Bill of Rights than do students using traditional textbooks and approaches.

I am pleased to support such an outstanding program that continues to produce an enlightened and responsible citizenry. Madam Speaker, the names of these outstanding students from Elkins High School are: Krystal Castillo, Andrea Cavazos, Deborah Choate, Andrew Cockroft, Lucy Eiler, Jimmy Guerrero, Josh Hanks, Lara Hogue, Nick Johnson, Tiffany Kell, Curtis Kelso, D.J. Kinneman, Matt Macko, Colton Mendez, Jonny Murthy, Sola Oyewuwo, Tej Pandya, Bryan Philpott, Justina Rodriguez, Deepa Sabu, Nick Shipman, Pia Siaotong, Ivette Soto, Achal Upadhyaya, Courtney Williams, Angela Wu, and Arif Yusuf.

I also wish to commend the teacher of the class, Marilyn Ellington, who is responsible for preparing these young constitutional experts for the national finals. Assisting Mrs. Ellington is her colleague Jan Arrington and former students Emily Lee, Kelsey Smith, and Masha Sharf. Also worthy of special recognition is Jan Miller, the State coordinator, who is among those responsible for implementing the We the People program in my State. I congratulate these students on their exceptional achievement at the We the People national finals.

TRIBUTE TO THE 50TH ANNIVERSARY OF THE CITY OF SOUTHFIELD

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. LEVIN. Madam Speaker, I rise today to commemorate the City of Southfield, Michigan, on the 50th anniversary of its incorporation as a city.

Southfield's city leaders have coined the phrase ''center of it all'' to describe this diverse community situated in the center of metro-Detroit that has grown to the 13th largest city in the State of Michigan.

The residents of Southfield are what has always made this community strong and independent. For example, 17 days after the area was designated as ''Ossewa Township'' on July 12, 1830, citizens petitioned the State to change the name to Southfield. And in the 1950s, a group of Southfield Township residents formed the ''Save Our Southfield'' committee and lent their own money to the group's treasury. This group promoted the incorporation of Southfield and financed the filing for incorporation. Southfield became a city on April 28, 1958.

Southfield has grown from a rural farming community to a premier business and residential address in Michigan. This modern city of beautiful homes and golden skyscrapers has become home to nearly 80,000 residents. Their 26 million square feet of office space brings the city's daytime population to more than 175,000, making Southfield one of the leading business centers in Michigan and the Midwest Region.

Southfield is home to leading manufacturers and other diverse businesses, strong educational institutions, innovative health care institutions, strong community organizations, and a vibrant faith community. It also retrains a feeling of warmth and closeness within its neighborhoods.

I am pleased to have lived in Southfield during a time of transformation of city leadership and institutions which are an increasing representative of the diversity of this wonderful community. I have also been pleased to represent the residents of Southfield since I came to Congress.

As Mayor Brenda Lawrence and other elected officials join the citizens of this exceptional city to celebrate their golden jubilee, I ask my colleagues to join me in congratulating its residents on its 50th year. Let this be the opportunity to pay tribute to the history of Southfield and re-commit ourselves to a prosperous and progressive future.

HONORING THE SERVICE AND SACRIFICE OF STAFF SERGEANT KEITH MATTHEW MAUPIN

HON. BRAD ELLSWORTH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. ELLSWORTH. Madam Speaker, it is with great sadness and deep respect that I

rise today to honor the life of Staff Sergeant Keith Matthew (Matt) Maupin.

Matt Maupin's story has gripped the hearts of thousands of Americans across the country since the 20-year-old Army reservist was captured in Iraq in 2004. Together, we have hoped and prayed for four long years that he would be returned home safely to his family. Sadly, those prayers went unanswered.

Matt Maupin was laid to rest in Cincinnati on Sunday, having given the ultimate sacrifice in service to our country. But the most significant thing about Matt Maupin isn't how he died, it's how he lived.

Matt is a beloved son to Keith and Carolyn and brother to Micah, Stephen, and Lee Ann. A native son of Batavia, Ohio, he understood there is no higher calling than service to others and bravely stepped forward to serve his country in the Army reserve. Matt Maupin is a true American hero.

On behalf of the people of the 8th District of Indiana, I want to extend my deepest condolences to his family and friends who love and miss him today. May God bless Matt, his family, and all of those who continue to sacrifice so much for our country.

HONORING MAURICE PRITCHETT

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to recognize Mr. Maurice Pritchett, who recently retired after more than forty years in the Delaware public education system. Maurice's service to Delawareans will be honored at a community celebration this Sunday, May 4.

Maurice's ties to the Wilmington public school system stretch back to his childhood. Though he now resides in Newark, Delaware with his wife Juanita, Maurice was born and raised on the East Side of Wilmington, where he attended public schools in the city.

At Howard High School, he proved to be an outstanding basketball player and was offered a full scholarship to attend Delaware State University, majoring in elementary education and continuing to excel in basketball, leading the Hornets as team captain during his junior year. Maurice also holds a master's degree from Villanova University.

Following graduation, he taught fifth grade in Cecil County, Maryland and in Wilmington before moving on to his position as community school coordinator of Wilmington's Bancroft Academy, a school that he himself attended. Over the next thirty-two years, Maurice served as vice-principal and then principal of Bancroft Academy. He later served as director of family and community engagement for the Christina School District.

Maurice's leadership at Bancroft, including the initiation of multicultural programs and a clothes closet, earned him the 1994–95 Delaware State National Distinguished Principal Award. His many other honors include the Christina Cultural Arts Center's lifetime achievement award, the Dr. Al O. Plant Lifetime Achievement Award and being named as one of the "100 African American Men of Distinction in Delaware" by the Afro-American Historical Society.

Remembering the difficult times that he faced while growing up inspires Maurice to continuously contribute to the community. He is a long-time volunteer with the Boys and Girls Club of Newark. In addition, as a member of the Delaware State Basketball Hall of Fame and Delaware Afro-American Sports Hall of Fame, Maurice co-sponsored a youth basketball league that provided extracurricular activity to inner-city Wilmington elementary school students.

Following his retirement in January of this year, Maurice established the Maurice Pritchett Education Foundation in partnership with the Delaware Community Foundation to benefit underprivileged children in New Castle County. While his public works are certainly well-known, those who gather for the celebration honoring his achievements will bring with them countless personal stories of Maurice's compassion, including one person for whose family Maurice bought groceries when they were financially unable. His kindness and dedication have touched the lives of many.

I acknowledge and thank my good friend Maurice Pritchett for his numerous contributions to education and the overall well-being of children and families in the State of Delaware. I am confident that as he enjoys his retirement with his family, he will remain an active and influential member of our community.

RECOGNIZING THE CONTRIBUTION OF THE BLACK ACHIEVERS PROGRAM

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RANGEL. Madam Speaker, I rise today to discuss the editorial, "Black Achievers in Industry" which appeared in this week's edition of the New York Carib News.

The editorial praised the Harlem YMCA's 38th National Salute to Black Achievers in Industry (BAI) Awards dinner. The Black Achievers in Industry Awards dinner serves as the organization's premier fundraiser to raise the money necessary to fund countless youth programs. The Black Achievers in Industry Awards serves a vital purpose in the community, as the cooperative has partnered with more than 100 corporations to provide much needed scholarships to New York City high school seniors and college students. The Black Achievers Program recognizes the importance of education and its ability to give children a future filled with possibilities.

It is my sincere hope that other corporations across the Nation will join the Black Achievers Program in providing disadvantaged students from lower- and middle-income families with the financial means required to attend a college or university.

HONORING SUE SAWYER

HON. TIM MAHONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. MAHONEY of Florida. Madam Speaker, today I stand before you to talk about a mother, a soldier's mother. This week, Sue Sawyer made the ultimate sacrifice for our United States of America. She lost her son to war.

Sue's son, Marcus Mathes was killed in a mortar attack as he stood on duty, next to his truck, just north of Baghdad. Two fellow crew members were killed with him. Their death was instantaneous.

Marcus Mathes had just turned 25.

On behalf of the entire Congress of the United States, I want to thank Sue Sawyer. By raising your son to value the ideals of the United States of America, you have helped to improve the security of our country and our future.

Sue Sawyer has given an extraordinary gift to our country, for which we should be profoundly grateful. She has reason to be proud of her son's accomplishments and duty. Today, we must remember the accomplishments of the mother who selflessly raised Marcus and influenced him to give.

Representing our country in combat was a gift to all of us from Marcus Mathes and Sue Sawyer.

Thank you, Sue. God bless you.

IN TRIBUTE OF YOM HASHOAH, HOLOCAUST REMEMBRANCE DAY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. MEEK of Florida. Madam Speaker, I rise today to join my colleagues and my constituents in solemn recognition of Yom Hashoah, or Holocaust Martyrs' and Heroes' Remembrance Day; a special day where we mourn the millions of Jews who perished at the hands of the Nazis.

This day has special significance for Jews, the main target of Nazi atrocities. I represent many constituents who are Holocaust survivors and many more that lost friends, relatives and loved ones. We mourn their loss; honor their memory; and unite in opposition to acts of bigotry and intolerance.

We in South Florida are united in outrage that two synagogues in our community have been vandalized in recent weeks. These offensive, hate-inspired acts have no place in our society that values tolerance and diversity. We stand united with the congregants, friends and supporters of The Chabad Shul in Miami Beach and the Chabad of Parkland in North Bonnard. These houses of worship and centers of learning will rise again with a renewed sense of spirit and purpose of mission.

I once again honor South Florida's Holocaust Documentation and Education Center, its founders and museum curators for their fine work in educating and reminding the public about the Holocaust and remembering and honoring its victims. The Center is located in my Congressional District at 2031 Harrison Street in Hollywood, Florida.

To the residents of South Florida, the students enrolled in area schools, and to the millions of visitors to the region, I encourage you to visit the Holocaust Documentation and Education Center to study, understand and contemplate the consequences of man's inhumanity to man which occurred in Europe prior to and during World War II.

May the memory of the six million Jews who perished in the Holocaust be blessed for all eternity.

INTRODUCTION OF THE U.S. RECOMMITMENT TO INTERNATIONAL HUMAN AND CIVIL RIGHTS RESOLUTION

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. LEWIS of Georgia. Madam Speaker, I rise today to introduce the attached resolution that calls for the United States to ratify and implement certain fundamental international conventions.

Today, May 1st is the 201st anniversary of the abolition of the transatlantic slave trade. On this day, we must rededicate ourselves to the human and civil rights movement to provide freedom and equality to all people.

This resolution is very simple; it is very clear; it is very basic. Our country was founded on the principles of civil and human rights. Many, many people—men, women, and even children—have sacrificed their lives for the freedoms we enjoy today. Countless others work tirelessly to protect these rights. On this historic day, it is important to reiterate our commitment to combat slavery, torture, racism, discrimination, and xenophobia in all forms.

It takes more than words; this effort needs action. Sixty years ago, the United Nations used our Bill of Rights as a reference in drafting the Universal Declaration of Human Rights. Eleanor Roosevelt, wife of President Franklin Delano Roosevelt, led the United States delegation and the United Nations (U.N.) in helping to draft the Universal Declaration of Human Rights.

Since that time, we've seen so many changes—a global movement towards civil and human rights. In our own country, people have sacrificed everything for key civil rights legislation like the passage of the Voting Rights Act, the Equal Pay Act, and the Americans with Disabilities Act.

But Madam Speaker, somehow along the way, we've pulled away from a global movement that requires constant work, constant attention, and constant action. The U.S. must catch up with so many of our global partners.

How can we combat genocide in Darfur, if we ourselves have not ratified the U.N. Conventions that address the rights of women, children, and forced disappearance? How can we ask for our global trading partners to respect international labor standards, when we ourselves have not ratified ILO standards on the right to organize and bargain collectively, or forced child labor, or age discrimination? It is important to not only speak as global leader, but act as a global leader on key human and civil rights issues.

On this little piece of real estate that we call Earth, we all have our duty to make this world a little cleaner, a little better, and a little safer. This resolution, Madam Speaker, is about common sense, and I hope all of my colleagues will join me as cosponsors.

RECOGNIZING AMERICA'S TEACHERS

SPEECH OF

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 30, 2008

Mr. SCOTT of Georgia. Mr. Speaker, I rise today to express support for the passage of House Resolution 1130, which recognizes the roles and contributions of America's teachers to building and enhancing our Nation's civic, cultural and economic well-being. I want to thank the gentleman from Missouri, Mr. GRAVES, for offering this important resolution.

Our teachers play an instrumental role in guiding children throughout their adolescence and into adulthood. More than just instructors, teachers are mentors and friends who encourage students to reach their potential. They also serve as the eyes and ears for parents during the school day, playing a vital role in helping a child's personal growth and development.

As our Nation continues to expand rapidly, we must also continue to encourage people to enter the teaching profession so we will continue to have great teachers to meet our growing needs. Since entering Congress in 2003, I have been proud to support initiatives to recruit high school and college students to enter teaching and work in communities with the greatest needs. This year, I was also pleased to join as a co-sponsor of a resolution establishing National Teacher Day during National Teacher Appreciation Week, offered by the gentleman from Florida, Mr. KLEIN. Going forward, I will continue to support increased funding for NCLB and IDEA so that teachers have the resources they need to be most successful. Our teachers deserve nothing less.

Next week, as we celebrate National Teacher Appreciation Week, I encourage my constituents and all Americans to take a moment to reflect upon special moments they have shared with their teachers. I also encourage parents and students to take a moment, whether with a shiny apple or a simple thank you, to show teachers that they appreciate their service to our schools.

In closing, Mr. Speaker, I want to thank Mr. GRAVES once again for offering this timely resolution and I want to thank each of my teachers for all they did to help me reach my potential.

PAUL SOREFF AND AILA

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. REICHERT. Madam Speaker, I rise to congratulate Paul Soreff on receiving the "Most Significant Work or Work Having the Greatest Impact" award from the Washington State Chapter of American Immigration Lawyers Association, AILA.

Prospective citizens have to jump through many hoops during their journey to becoming a citizen. I am often contacted by hard-working men and women who want nothing more than to be an American. Their courage, tenacity and new found patriotism is inspiring, much like the help Paul provides so many of them.

As the driving force behind AILA's Citizenship Day, Paul's dedication in helping legal permanent residents apply for naturalization is a wonderful, patriotic thing to do. The work Paul invested in Washington State's newest citizens is now being emulated nationwide. The participation level at Citizenship Day is outstanding and it is no doubt a reflection of Paul's leadership and selfless nature. He also serves as a professor of law at Seattle University and his students are very fortunate to have such an advocate as a teacher.

While navigating the immigration system is not easy, the guidance and service Paul provides alleviates stress and anxiety for many. His selfless work is an example for not only immigration attorneys and professors but also for each of us.

PUBLIC SERVICE RECOGNITION WEEK

SPEECH OF

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 2008

Mr. SARBANES. Mr. Speaker, I rise today, during public service recognition week, in honor of Maryland's Federal workers.

The work of our Federal employees often goes unnoticed in our daily lives. Without these men and women, though, we would not have made enormous progress in areas such as medical research and the protection of clean water and clean air. We would not have a mail system that our communities, families and businesses can rely on—rain or shine. The list goes on and on.

This year, the Baltimore Federal Executive Board will give gold, silver and bronze awards for excellence in job performance to 217 Maryland Federal employees and military servicemembers in nineteen different job excellence categories. These awards are one effort to showcase the remarkable work that is going on in our Federal sector and I congratulate this year's outstanding class of awardees.

RECOGNIZING CAROLYN KULIG

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. MARCHANT. Madam Speaker, I rise today to recognize Carolyn Kulig on achieving the Girl Scout Gold Award. Receiving the Gold Award is a testament to Miss Kulig's leadership, citizenship, and service to her community.

For her Gold Award project, Carolyn Kulig decorated the library at the Easter Seals facility in Carrollton, Texas. Miss Kulig painted book shelves in lively colors and added color to the walls. She also collected books and videos through donations that will be given to low-income families that have children being treated at the facility. Her efforts will liven the spirit of all that use the library at Easter Seals.

The Girl Scouts of America promotes a positive influence for young women of today. I am honored to represent Carolyn Kulig in earning the highest award bestowed in Girl

Scouts. I commend her commitment and dedication for the betterment of her life, her community, and her country.

CRYSTAL BELL AWARD RECIPIENTS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to commend seven exceptional teachers from Northwest Indiana who have been recognized as outstanding educators by their peers for the 2007–2008 school year. These individuals are: Sheri L. Doffin, Tracy Kohler, Kathleen R. Krum, Karen A. Semancik, Nancy J. Smith, Thomas R. Sufana, and Vicki Weber. For their outstanding efforts, these honorees will be presented with the Crystal Bell Award at a reception sponsored by the Indiana State Teachers Association. This prestigious event will take place at the Andorra Restaurant and Banquets in Schererville, Indiana, on Wednesday, May 7, 2008.

Sheri Doffin, a first grade teacher at Lake Village Elementary School, has been in the teaching profession for an astonishing 31 years, 30 of which have been with the North Newton School Corporation. Throughout her tenure, Sheri has always made a point of bringing innovative ideas to her classroom to make sure her students remain interested and actively involved in their studies. Involved in many committees and programs at Lake Village, including the PTO and PL221 team, which is geared toward the improvement of the school, Sheri's dedication is matched only by her constant concern for her students.

Tracy Kohler, from the Crown Point School Corporation, has been a role model and a true inspiration to her students since arriving in Northwest Indiana in 2004. Currently an eighth grade honors algebra and pre-algebra teacher at Colonel John Wheeler Middle School, Tracy is well known for her creativity in the classroom, regularly bringing real-life situations into her lessons. Also recognized for her skills with teaching struggling learners, Tracy was selected to teach a pilot program aimed at improving math scores on the ISTEP exam. Tracy has also shown her unwavering commitment to her students through her service as the sponsor of the Academic Bowl Team and as a volunteer at athletic and after-school events.

Kathleen Krum, this year's recipient from the Hanover Community School Corporation, has been a teacher for an astounding 38 years. A fourth and fifth grade teacher at Hanover, Kathy has received many awards and honors throughout her lifetime of service. Involved in numerous extracurricular activities and special programs with her fourth graders, Kathy has always taught with the goal of making learning fun. With this goal in mind, one of Kathy's greatest sources of pride was the construction of an outdoor learning lab at Lincoln Elementary School, which has helped many young students gain first-hand experience with nature.

Karen Semancik, this year's recipient from the Lake Central School Corporation, has had an outstanding teaching career, which has spanned 29 years. Karen is currently a fifth grade social studies teacher at Clark Middle School, where she is widely known for the unique and interesting activities she brings to her classroom. One example of such an activity is that she provided her students with the opportunity to contact the International Space Station. Additionally, Karen's peers and students have always been impressed with her patience and her ability to adapt her lessons to the individual needs of her students.

This year's recipient of the Crystal Bell Award from the School Town of Munster is Nancy Smith. Nancy, of Wilbur Wright Middle School, has been a seventh grade language arts teacher in Munster for the past 35 years. The passion Nancy has for teaching and for her students goes far beyond the classroom. Through her efforts on the Broad Based Planning Committee, the language arts gifted and talented program has made great strides, allowing these exceptional students the opportunity to enhance their student careers. Furthermore, Nancy has been a true role model to teachers new to the classroom, allowing them to learn from her vast experience and to share her passion for educating young people.

This year's recipient of the Crystal Bell Award from the Tri-Creek School Corporation is Thomas R. Sufana. Tom has been nurturing young minds for an astonishing 32 years and currently serves as the art teacher at Lowell Senior High School. In addition, Tom has served as the Assistant Drama Director for the past 14 years. Throughout his illustrious career, Tom has not only received recognition as a great teacher, but his work has been seen in many public events, both locally and nationally. Because of his love for art, Tom is responsible for bringing many beautiful pieces to Northwest Indiana, many of which are proudly displayed in the halls of Lowell High School today.

Vicki Weber, this year's recipient from the School Town of Highland, is known for her ability to challenge her students in a way few other teachers can. Vicki, currently a third grade teacher at Warren Elementary School, also serves in many other capacities, including: Spellbowl coach, intramural volleyball coach, mentor, mentor faculty facilitator, and as a member of the building school improvement plan steering committee. A testament to Vicki's ability to connect with her students, she has coached two Spellbowl teams that have advanced to higher level competitions.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding educators on their receipt of the 2008 Crystal Bell Award. Their years of hard work have played a major role in shaping the minds and futures of Northwest Indiana's young people, and each recipient is truly an inspiration to us all.

SAFE AND COMPLETE STREETS ACT

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. MATSUI. Madam Speaker, I rise today to introduce the Safe and Complete Streets Act of 2008.

This needed legislation is based on the principle that our Nation's transportation system should be safe and accessible to all people. Motorists, bicyclists, transit users, pedestrians, the disabled, and the elderly all use our country's transportation network each and every day. The Safe and Complete Streets Act of 2008 will ensure that the needs of all of these users are accommodated during the transportation planning process.

Complete streets are an essential part of well-designed communities that are livable for children, families, the elderly, and people of all ages and abilities. By providing our constituents with sidewalks on which to walk, well-lighted transit stations in which to wait for the bus or light rail, clear lanes in which to drive, and bike lanes in which to ride, we can encourage them to utilize alternative modes of transportation. This can make our transportation system most effective and useful.

Madam Speaker, our constituents are struggling to deal with the skyrocketing cost of gas. As their pocketbooks are hit increasingly hard at the pump, many Americans are turning to alternative methods of transportation. In my hometown of Sacramento, where gasoline is nearly four dollars per gallon, my local newspaper recently reported on the growing number of my constituents who are riding their bicycles to work because of the prohibitive price of filling a car up with fuel.

For these reasons, Americans around the country are eager for transportation alternatives. The Safe and Complete Streets Act of 2008 is a strong step toward a future where travelers are presented with a range of transportation options. By requiring States and metropolitan planning organizations to accommodate the needs of all users of the transportation system in their planning processes, this legislation will broaden access to the streets that tie our communities—and our Nation—together.

Incorporating these kinds of complete streets principles will help us move away from the kinds of transportation planning that causes seniors to avoid walking to the store because of the lack of sidewalks. It will help usher in a day when commuters feel safe riding to work on their bicycles because the streets now accommodate bikes. It will ease the fears of parents across our country who hesitate to allow their children to walk to school because of the danger posed by so many cars driving near sidewalks. It will reduce the risk posed to disabled Americans who are forced to deal with a transportation system short on painted crosswalks and audible walking signals. And it will encourage people to take public transit because they will no longer have to wait for the bus at a stop that is nothing more than a pole in the ground.

Complete streets also have a number of non-transportation-related benefits. In a country where nearly one-third of adults are obese and the number of overweight children has tripled since 1980, giving people options to walk or take public transit can play a major role in reducing these disturbing trends. In terms of fighting global warming, the Intergovernmental Panel on Climate Change recommends as a key climate change mitigation strategy the shifting of travel modes from driving to walking, taking transit, and bicycling. There is ample room for complete streets to help bring about this needed paradigm shift in the way we travel—65 percent of trips in the United States under one mile are now made by automobile. In one Colorado city, local efforts to

take transit, use bicycles, and carpool have helped reduce carbon dioxide by half a million pounds. If one city can achieve such success in reducing emissions by changing transportation patterns, the possible emissions reductions through implementing a nationwide complete streets policy are staggering.

Madam Speaker, we live in a time when local governments are strapped for cash. In such a fiscal climate, we should make investments today that will pay out over the long term, and that will help us avoid the need to make costly adjustments to our current transportation system down the line. Incorporating complete streets principles today will help communities save precious dollars in the future by eliminating the need for costly retrofits.

I know this to be true because of the experience of my own congressional district, where the City of Sacramento is preparing to spend $12 million to update a bridge that was built in the 1930s without adequate sidewalks. Another example of the power of complete streets to save money is from Illinois. There, the legislature passed a complete streets law last year after the state was forced to spend nearly a million dollars adding a foot and bike path to a bridge where several pedestrians and bicyclists were hit and killed by motorists.

But the bottom line, Madam Speaker, is that the Safe and Complete Streets Act of 2008 is good policy because of what it can help us do for our communities, not for the costs it can help us avoid. Encouraging people to use all the various modes of transportation available to them will strengthen public health, reduce congestion, improve air quality, and increase the interconnectedness of our communities. It will help create a national transportation network that works for all Americans regardless of their age, income, or preferred mode of getting around town.

The time has come for this Congress to start thinking about what we want the legacy of American transportation to be. I know I speak for many of my colleagues when I say that we want this to be one where all users of our streets feel safe and accommodated. The Safe and Complete Streets Act of 2008 is a first step toward creating this kind of practical, efficient, and inclusive transportation system, and I am proud to introduce it here today.

HONORING DEBORAH MURDOCK

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. HOOLEY. Madam Speaker, I rise today to honor a long-time education advocate and friend, Deborah Murdock. As Special Assistant to the President at Portland State University, Debbie helped make PSU the top-tier university in Oregon that it currently is. We lost our friend Debbie on August 14, 2007, far too soon. I honor her today because on Sunday, May 4, 2008, Portland State University will dedicate the Debbie Murdock Memorial Clock Tower on their campus.

My first day in Washington, DC, as a new Member of Congress, Debbie was a friendly face who knew more about working in Congress than I did. Her experience with Congressman Les AuCoin was a great benefit for both of us. She knew what I needed to do to successfully represent my constituents and specifically a certain university in the state's urban hub.

Debbie came to work for PSU in 1993 and almost immediately set goals for the university that may have seemed overly-optimistic and unattainable. She wanted to help the university provide the programs, research and student experience that the other Oregon institutions of higher learning were offering.

During her tenure, Debbie played a significant role in the building and establishment of the Native American Center, the Urban Center, the engineering building and others. She also was involved in the downtown revitalization and "greening" of the campus.

But Debbie's list of accomplishments doesn't end with facilities and structures. Debbie managed to affect almost every person she came into contact with by encouraging their professional or academic development and personal growth. She wanted everyone to be the best they could be and felt like she could help make that happen by being a friend, a mentor or a resource.

I am delighted that Portland State University is naming the new clock tower in honor of Debbie. The tower will be a part of PSU's vitality, energy and life for years to come, as will Debbie Murdock's memory.

EXPRESSING APPRECIATION FOR H. MARTIN LANCASTER'S SERVICE AND FRIENDSHIP

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. PRICE of North Carolina. Madam Speaker, I rise today in recognition of the dedicated service of our former colleague, Martin Lancaster, to North Carolina and the Nation.

Martin retires today as President of the North Carolina Community College System, which he has led since 1997. The system enrolls more than 800,000 students in 58 comprehensive community colleges across the State. Internationally recognized for the scope and quality of its programs, the system is one of the largest in the county and North Carolina's primary provider of workforce preparation and adult education.

Martin has worked to increase State and private funding for facilities, equipment, faculty salaries, and instruction and to strengthen the system's essential role in workforce and economic development. He led community college participation in the successful State Higher Education Bond Referendum of 2000, which included $600 million for community college construction, repair and renovation. He has worked successfully with successive presidents of the University of North Carolina system to ensure a seamless transition for students between community colleges and 4-year state institutions.

In his years as president, Martin and I have collaborated on a number of projects. We've worked hard on the Partnership Fellows Program to help address the serious teacher shortage by providing scholarships for individuals transitioning from associate degree programs in education to bachelor-degree granting institutions. He's helped ensure that future Federal scholarships for prospective teachers will be available to community college students.

We also continue to promote funding from the National Science Foundation for the Advanced Technological Education, ATE, program to underwrite innovation and excellence in curriculum development, teaching methods, and public-private partnerships. The North Carolina system and individual campuses compete very successfully for this support.

Most recently, we have secured Department of Education funding for an innovative partnership among the North Carolina Symphony, the community college system, and local public school systems. Soloists and small ensembles from the Symphony will visit far-flung communities and, based in their community colleges, offer performances and classes for aspiring young musicians.

Prior to his work with the North Carolina Community College System, Martin served as assistant secretary of the Army for Civil Works from January 1996 until June 1997. Before that, he served as special advisor to President Bill Clinton on chemical weapons. Many Members of this body will remember his 8 years of distinguished service, representing his home town of Goldsboro and the rest of the Third Congressional District.

With the experience of being on active duty in the Navy during the Vietnam war and continuing to serve as an active Reservist until his retirement as a Navy Captain in November 1993, Martin was an effective member of the Armed Services Committee. During his tenure, he fought to obtain benefits increases for disabled veterans and sponsored Agent Orange compensation measures. He also took a special interest in procurement and other small business issues as a member of the Small Business Committee.

Our friendship stretches across decades, including our years in the House, which we began together in the Class of 1986. Martin's commitment and leadership in his law practice, the North Carolina General Assembly, the U.S. Congress, on many boards and commissions, and especially in our community colleges, have improved the quality of life for people of all ages. We have known each other long enough to watch our grandchildren's generation benefit from his talent and dedication.

It is with the greatest respect and my deepest appreciation that I rise today to honor Martin Lancaster and thank him for his many invaluable contributions to our State and Nation. On behalf of all who have also been fortunate to work with him, I wish him, his wife Alice, and their two daughters, Mary Martin and Ashley Elizabeth and their growing families, the best in all of their future endeavors.

IN HONOR OF BRIAN PERRY

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. PICKERING. Madam Speaker, today I would like to honor a member of my staff, Brian Perry, as he leaves to join Mississippians for Economic Progress as executive director. Brian has served as my communications director for the past 5 years and has done an outstanding job handling the press inquiries my office has received from the national, State, and local level. He has served in

a composed, calm, and patient manner; which is to be admired in a position so demanding.

Brian grew up in the Nashville, Tennessee area and then moved to Mississippi where he attended Northwest Rankin High School. Once in Mississippi, he settled there and graduated from Belhaven College in 1997 with a bachelor of arts in philosophy and then obtained a masters in communication from Mississippi College. Before starting in my office, Brian was a reporter for the Madison County Journal, creator and editor of the Magnolia Report, and campaign director for Judge Keith Starrett's successful run for election. His personal experience as a journalist helped make him a very effective communications director for me.

In addition to serving as my communications director, Brian also focused on education, human rights, and religious freedom issues. In 2006, Brian moved back to Mississippi to work in my district office in Pearl. We have missed having Brian in the DC office.

Since moving back to Mississippi, Brian has been extremely involved in neighborhood and community activities. He is a loyal alumnus of Belhaven, living just one block from the school. Canoeing, fishing, and camping are among his favorite outdoor activities. He also enjoys listening to bluegrass, grilling with friends, and attending the Neshoba County Fair. Over the past 2 years, the district office has come to really know Brian and will remember him as an ardent 1st amendment defender, Christian advocate, political junkie, and the world's fastest eater. But most significantly, he will be remembered as a dedicated and conscientious member of my staff, a good listener, and a loyal friend to his fellow coworkers.

As a tribute to Brian for his exemplary work, I would like to share some words from people he has worked closely with throughout his career.

''Brian Perry's five year tenure in Congressman Pickering's office is noteworthy, as his record of public service is marked by a strong commitment to excellence and professionalism. Personally, I am grateful for Brian's willingness to serve as the spokesman for my 2007 re-election campaign; his vision, maturity, and experience were nothing short of exceptional. I commend Brian for his outstanding career and look forward to his continued contributions to government and politics. ''—Governor Haley Barbour

''Brian Perry has served Congressman Pickering and the Third District with distinction. He is a man of unwavering conviction and his integrity is above reproach. That's why it is my distinct privilege to count Brian among my closest and most trusted friends, a relationship that has developed as I have worked with him professionally. He's always been willing and able to meet the request of our newspapers—and then some. He has always proven to be of the strongest character when dealing with members of the press.''—James E. Prince III, president, Prince Newspapers

''Brian Perry has been one of my closest and most trusted friends for well over a decade. We both met as activists in the Mississippi Republican Party. He has served as a loyal member of Congressman Chip Pickering's staff where he facilitated and communicated the various initiatives Congressman Pickering spearheaded in the interest of Mississippi's Third Congressional District. While serving as Republican Chairman of the Third District, and now as MRP Executive Director, Brian has proven himself over and over again to be a man of character whose integrity and professionalism are above reproach. Brian's mark of service to the Republican Party, Congressman Pickering, and Mississippi and even the nation will be long lasting.''—Brad White, executive director, Mississippi Republican Party

''Brian Perry worked very hard ensuring that the needs of rural areas were addressed along with the many other demands placed on Congress. He took a personal interest in the progress of Noxubee County and assisted us whenever possible. Brian's attention to detail and pride in his work was evident whether at his desk in the Cannon Building or during a much-deserved weekend break to fish the Shenandoah River. Brian Perry's presence on the Hill will be greatly missed by many Mississippians.''—Brian Wilson, executive director, Noxubee Economic and Community Development Alliance

''It has truly been a pleasure to get to know Brian Perry during his tenure with Chip. He and I have developed a special friendship. I appreciate his intellect and character. He is an excellent writer and conscientious in his work. His public service has made a difference to our nation, our great state, and to Chip and our family. I will always be grateful.''—Judge Charles W. Pickering, Sr.

Madam Speaker, Brian has provided wise counsel, effective communication and a passion for service to Mississippi. He served with poise throughout the aftermath of Katrina and in congressional and confirmation battles. I treasure his faith, reason and friendship. He has my deep respect and appreciation for all the contributions he has made and the work he has done. I wish him the very best and know he has a bright future communicating and fighting for good causes.

CONGRATULATING ISRAEL ON ITS 60TH ANNIVERSARY OF INDEPENDENCE

HON. JOHN M. McHUGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. McHUGH. Madam Speaker, I rise today to congratulate and commend the State of Israel on the 60th anniversary of its independence. On May 14, 1948, Israel declared its independence. Within 11 minutes, the United States became the first nation to give de facto recognition to the State of Israel. America's friendship with Israel continues to this day. Having visited Israel several times, I know well that Israelis and Americans share the common values of peace, freedom and democracy.

The modem state of Israel is a safe haven for Jews from all corners of the world. Since its founding, Israel has been a home to Holocaust survivors and their descendants, as well as Jews fleeing oppression. While strides have been made to combat global anti-Semitism, I am disappointed that recent reports indicate a rise in anti-Semitism worldwide.

A strong and secure Israel is vital to America's national interest. Israelis know all too well the terror of indiscriminate homicide attacks by radical terrorists. The enemies of Israel have also targeted their attacks against Americans. The terrorist group Hamas is responsible for the deaths of at least 26 Americans, including teenagers and young children. In 1983 Hezbollah bombed the U.S. embassy in Beirut. Hezbollah was also involved in the bombing of the United States Marine barracks, in an attack that claimed the lives of 241 American servicemen. These groups operate with support and funding from Iran, a country whose president has called for Israel to be ''wiped off the map.'' Hamas continues to launch rockets into Israel, terrorizing innocent civilians living near the Gaza border. However, Israelis have shown tremendous courage in the face of these hostilities. Despite the constant threat of annihilation, Israelis have made the desert bloom. They have created a flourishing culture and society. Israel has also developed a thriving economy and is the world's leader in the development of many cutting edge industries. Israeli technology has even been used to help keep our troops safe in battle in the wars in Iraq and Afghanistan.

Madam Speaker, I join my colleagues in congratulating the State of Israel on its 60th anniversary, and express my sincere hope that the next 60 years come with peace and security for our close friend and ally.

CALLING ON CONGRESS TO REPEAL THE GOVERNMENT PENSION OFFSET AND WINDFALL ELIMINATION PROVISION

HON. WILLIAM D. DELAHUNT

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. DELAHUNT. Madam Speaker, I rise today to speak about an extremely important issue facing many retirees in Massachusetts. Throughout my career in the Congress, I have heard from thousands of my constituents who have been penalized by the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP).

Both of these laws currently require that a modified formula be used to calculate the amount of Social Security benefits a retired or disabled worker and/or the worker's family will receive if the worker also receives a pension from local, State or Federal employment not covered by Social Security. This has resulted in some unintended and unfair consequences.

Millions of public service workers in 15 States are allowed to opt out of the Social Security system and my home State of Massachusetts is one of them. Most of these workers are teachers, town and State employees, nurses, police officers and firefighters who are not required or allowed to pay into the Social Security program. Therefore, they do not collect Social Security benefits upon retirement.

However, the GPO and WEP also prevent public servants from receiving Social Security benefits that they earned through other, nonpublic service employment. Under these provisions, a widow or widower is denied a spousal benefit because their husband or wife was a public service employee. This is unfair and unacceptable.

Every year those who unselfishly give of themselves by serving others in their communities, find their retirement savings slashed by the GPO and WEP, simply because they left the private sector to serve the public. In Massachusetts alone, nearly 18,700 retirees are affected by the GPO, with more than a third of them being widows or widowers. As many as 32,000 individuals are affected by the WEP.

These provisions are unfairly penalizing the men and women who contribute the vital services that sustain and improve our communities.

With the retirement population continuing to grow, this issue is of increasing importance to millions of Americans and is not going to go away. I have been contacted by thousands, representing every segment of our community, and I am continually saddened and angered by the stories that I hear. Those who are affected by the GPO and WEP are hardworking Americans that do not deserve to be denied the benefits of a Social Security system that they have already contributed to.

A widow relayed the story of how she and her husband planned their retirement believing that each would be able to take care of their bills should one of them pass. She was stunned to find out when she became widowed that she would not be allowed to collect her husband's full survivor benefits because she collects a small pension from her job as an elementary school teacher in Marshfield. Sadly, she was forced to sell the home where she had raised her family because she could no longer afford it.

A single mother of three on Cape Cod with two full-time jobs as a nurse and teacher wrote me of her dilemma. She has made many sacrifices to independently support her children. She consistently paid into her teacher's retirement fund and Social Security for decades hoping to be able to eventually retire without worry in her later years. She recently found out she will not be allowed to collect both of the full retirement benefits she earned and was counting on.

I have heard from a 63-year-old widow who works for the City of Quincy. She would like to retire before her 70th birthday but cannot afford to do so. Because of her participation in the City retirement program, her Social Security benefits will be immediately and drastically reduced.

A municipal retiree in Plymouth wrote me about his concerns with the rising price of gas and medical expenses. He supports a repeal of the GPO and WEP so that he may supplement his already meager retirement income with his Social Security benefits.

I have heard from police officers and firefighters from all over my district who put their lives on the line each and every day. These brave men and women will not be allowed to collect their full Social Security benefits upon retirement.

These stories are very real, and are just a small sample of the thousands of letters that I have received on this issue.

This is not just about senior citizens who worked all their lives believing they were responsibly planning ahead for retirement. This is not just about retirees finding themselves unable to make ends meet, concerned that they may not be able to afford to heat their homes this winter or buy the medications they need.

It's about retired and widowed public servants, who are denied access to their deceased spouse's Social Security benefits because they chose public service as a career.

It's about penalizing honest, hard-working people who dedicated their careers to public service. At a time when our Nation is searching for talented and dedicated teachers, nurses and other public servants—this penalty discourages the best and the brightest from serving in our community. Madam Speaker, the time is long overdue for Congress to resolve this issue.

I want to urge my colleagues to join me in supporting H.R. 82, the Social Security Fairness Act which would repeal both the GPO and WEP. In addition, I'd like to urge you to support H.R. 2772, the Public Servant Retirement Protection Act, which would eliminate the WEP and establish a more equitable formula for calculating Social Security benefits.

Support for these two pieces of legislation has grown significantly each year and it is imperative that they see long-awaited debate in committee and on the floor of Congress.

RECOGNIZING THE CONTRIBUTIONS OF CONGRESSWOMAN MAXINE WATERS TO SOUTH AFRICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RANGEL. Madam Speaker, I rise today to congratulate Congresswoman MAXINE WATERS on receiving the Order of the Companions of OR Tambo Silver Award.

Since 1980, Congresswoman WATERS has worked tirelessly to improve the situation of the South African people. During the long reign of the apartheid regime, Representative WATERS organized marches, participated in rallies and welcomed countless antiapartheid leaders to the United States. Spearheading the national divestment movement, Congresswoman WATERS persuaded countless American corporations to withhold investing money in South Africa until apartheid ceased to exist. When South Africa held its first free elections 1994, Representative WATERS was asked to be a member of the official U.S. delegation that attended the inauguration of the country's first black president, Nelson Mandela. Clearly, Congresswoman MAXINE WATERS played a vital role in ending apartheid.

In my opinion, there is no one more deserving of one of South Africa's most prestigious awards. Congresswoman MAXINE WATERS devoted her career to ensuring that all people no matter their origin, race or culture, have the chance to experience freedom.

IN HONOR OF GABRIELLE THOMPSON OF BUFFALO, MINNESOTA: RECIPIENT OF THE PRUDENTIAL SPIRIT OF COMMUNITY AWARD

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to commend seventh grader Gabrielle Thompson of Buffalo Community Middle School for her extraordinary commitment to her community and her compassion for young cancer patients. This week, Gabrielle will be one of only 102 state honorees from across the Nation honored with the Prudential Spirit of Community Award.

Gabrielle has turned a difficult personal story into a story of healing and hope for children facing a life with cancer. When she was only 4 years old, doctors removed a malignant tumor from Gabrielle's abdomen. Now, with that successful surgery not long behind her, Gabrielle has committed to helping others who find themselves in similar situations.

In addition to raising $5,000 for cancer research selling luminaries and to drawing public attention to Buffalo's Relay for Life, Gabrielle has written a book to help children cope with cancer, "The ABCs of Childhood Cancer." Her book relates to children as only a young one can and relates to cancer patients as only one who has walked in their shoes can. But, in so many ways, her book demonstrates a young lady of startling maturity, grace, and poise.

The Prudential Spirit of Community Awards were started in 1995 as a partnership between Prudential Financial and the National Association of Secondary School Principals (NASSP). It is the Nation's largest youth recognition program based solely on volunteerism. Two high school and middle school students from each state and the District of Columbia are honored each year, with an additional 234 distinguished finalists also receiving recognition for their public service.

This year, in addition to Gabrielle, Shanna Decker, a senior at Plainview-Elgin-Millville High School, will represent the great state of Minnesota as recipients of the award for 2008. Shanna has also had a personal experience with cancer as a young child and has also turned her difficult life lesson into a powerful example of hope and courage for other young people in this situation, spending more than 300 hours a year visiting young cancer patients in the hospital.

An additional six outstanding Minnesota teens will be honored as Distinguished Finalists: Daniel Chahla of St. Paul, Carly Fischbeck of Inver Grove Heights, Joshua Hiben of Bloomington, Carissa Loehr of Eagan, Laura Maciosek of Minneapolis, and Aisha Moghul of Fridley. It is a true privilege to join Prudential, the NASSP, and their communities in honoring these outstanding examples of compassion and service. With all the regrettable news stories about the wayward path of today's youth, these young men and women renew our faith and refresh our hope.

HONORING THE ACCOMPLISHMENTS OF MR. THOMAS J. COOPER, SR.

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. GERLACH. Madam Speaker, I rise today to pay tribute to a dedicated community volunteer from Chester County, Pennsylvania, who recently passed away, but whose service is still lauded and remembered.

Each year, the Downingtown Area Chamber of Commerce recognizes an individual who has made an outstanding contribution to the community. This year, the Citizen of the Year Award will be presented posthumously to Thomas J. Cooper, Sr.

Mr. Cooper made substantial contributions to several community organizations throughout our region. He was very active with the Boy Scouts of America, serving as a Cubmaster and Den Leader for Hopewell Pack 8 for a

number of years. He also served as the Scoutmaster for Hopewell Troop 8, as well as a Vigil Member of the Order of the Arrow.

Tom was also very active with the Downingtown High School Band Parents organization, making numerous trips hauling the band instruments to local venues and even Florida for band appearances. He also worked the concession stand at the Downingtown High School stadium for numerous athletic events and band competitions, all part of his committed efforts to support our local youth.

No task was too big or too small for Tom. As long as he knew it would benefit area youth, he was there to help.

All of Tom's work and accomplishments will be acknowledged this weekend at the Downingtown Area Chamber of Commerce Annual Dinner on May 2, 2008, at Whitford Country Club. His wife, Winifred, will accept the Citizen of the Year Award on his behalf and area leaders and residents will pay tribute to the life and work of a selfless man.

Madam Speaker, I ask that my colleagues join me today in praising the work of Thomas J. Cooper, Sr., and all those who give of themselves to help others. The Citizen of the Year Award is an acknowledgment of the full and vibrant life that Tom led, and whose work is still remembered and paving the future for tomorrow's generation.

RECOGNIZING THE HOMES FOR OUR TROOPS ORGANIZATION AND PULTE HOMES

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to a program that has provided an invaluable service to our nation's wounded veterans. The Homes For Our Troops organization is a non-partisan, nonprofit 501(c)(3) group that provides specially built homes to veterans who have received debilitating injuries while fighting for our continued freedom in the ongoing military conflicts in Iraq and Afghanistan. These homes are provided at no cost to the family receiving assistance. John Gonsalves founded this wonderful organization with the aim of providing a service for our soldiers which was much needed and even more appreciated. He has dedicated his time to this noble endeavor and his organization has proven to be of the highest standard of excellence. Homes For Our Troops has been awarded the Independent Charities Seal of Excellence. This award, bestowed upon members of the Local Independent Charities of America and the Independent Charities of America is recognition of the highest level for charity work. Fewer than 5 percent of all eligible charities are honored with this award.

Providing these homes for our injured service men and women is a team effort. Recently, ground was broken on a home for Army Staff Sergeant Matthew Keil and his wife Tracy, of Parker Colorado. Numerous organizations have teamed up with Homes For Our Troops and provided their expertise, materials and time to make this home a reality. Pulte Homes, under the guidance of Mike Meneguzzi has designed the Keil's future home. Their organization has graciously donated over $31,000 to the building effort and one of their employees, Bret Hribar, will be operating as the general contractor. Pulte has further demonstrated their dedication to worthy projects such as this by providing their employees 2 paid days of leave annually to participate in charitable projects.

With the help of other local businesses, Homes For Our Troops and Pulte Homes have performed a great service for a great American hero. Their continued dedication to the welfare of our returning veterans is a great example of patriotism which we should all strive to achieve.

CONGRATULATING MRS. DAWN O'CONNOR RECIPIENT OF THE 2008 PRESIDENTIAL AWARD FOR EXCELLENCE IN SCIENCE TEACHING

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. HONDA. Madam Speaker, as a former teacher, school principal, and school board member I am proud to rise today to congratulate Mrs. Dawn O'Connor for receiving the 2008 Presidential Award for Excellence in Science Teaching. Since 1983, the Presidential Awards for Excellence in Mathematics and Science Teaching have honored outstanding kindergarten through 12th grade mathematics or science teachers for their contributions in the classroom and to their profession. On behalf of the people of California's 15th District, I am honored to recognize one of our own as a recipient of the Presidential Award, the highest recognition that a teacher can receive—Mrs. O'Connor teaches Seventh Grade Biology at Ascencion Solorsano Middle School in the Gilroy Unified School District.

Ascencion Solorsano's students are fortunate to have Mrs. O'Connor serve as chair of the Science Department, coach of the Cross Country team, and advisor of the school's MESA program. After graduating from California State University, Humboldt with a B.S. in Biology Mrs. O'Connor completed her multiple subjects credential program at my alma mater, San Jose State University.

Mrs. O'Connor received the 2007 Horace Lucich Award for Outstanding Teachers by the Synopsys science fair and the California State Science Fair Teacher of the Year Award. She was a Summer Institute Fellow at Stanford University's Center for Probing the Nanoparticle and also participated in the Summer Leadership Institute hosted by the National Science Education Leadership Association.

During Mrs. O'Connor's tenure year at Ascencion Solorsano she has helped to expand a traditional science fair into a five-month inquiry-based project involving 98% of the students in the activities of a practicing scientist—problem identification, hypotheses generation, experimental design, experimentation, writing and presenting conclusions. Her inclusion of cross-curricular skills is indeed commendable. Through her encouragement students have performed exceptionally in the Silicon Valley science fair competition and gone on to attain awards at the State level competitions. According to Mrs. O'Connor "It is also my goal to produce a population of capable problem solvers," a goal I share, one that is crucial to ensuring our Nation's competiveness in the 21st century global economy.

Mrs. O'Connor represents the spirit of innovation that is the core of my District, the Silicon Valley and the State of California, and she is dedicated to inspiring and engaging students in science through inquiry. I congratulate her and her colleagues and students for this distinguished achievement.

STATEMENT IN RECOGNITION OF EDIE FRASER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mrs. MALONEY of New York. Madam Speaker, I rise to honor the work of one of the leaders of diversity, entrepreneurship, women in business and mentoring, Edie Fraser, who was honored on April 24 with the Lou Campanelli Award for volunteerism and leadership.

The award, presented by SCORE "Counselors to America's Small Business," honors Edie Fraser for her volunteerism, philanthropic contributions and dedication to entrepreneurship and SCORE.

The Lou Campanelli Award annually recognizes outstanding individual volunteerism, leadership, vision and philanthropy in support of small business, entrepreneurship and SCORE. Edie received the award at SCORE's Afternoon of Vision 2008 in Washington, D.C., on April 24. SCORE CEO Ken Yancey and Lou Campanelli presented Edie with the award.

Edie Fraser has won more than 35 major diversity awards. SCORE is in her blood as her dad, Les Fraser, was a SCORE volunteer and leader for 33 years in Atlanta. Edie has worked with SCORE over the years, now serving on the SCORE Board of Directors.

She was named in 2007 as one of the Top 50 Pioneers in Diversity by Profiles in Diversity Journal and top 46 of America's Top Diversity Advocates by DiversityBusiness.com, along with Oprah Winfrey, Presidents Jimmy Carter and Bill Clinton, and many other senior diversity leaders. Her other awards include: The Enterprising Women Hall of Fame; the eWomen Network International Femtor Award for Lifetime Achievement; the Count-Me-In Leader Entrepreneurial Award; and the Euro-American Women's Council Artemis Award, presented by Athens and the sacred island of Delos. She also received the First Global ATHENA Award in Athens, Greece.

As an advocate for small business and entrepreneurship Edie says, "SCORE is a cornerstone of what is the best of this country. Small business is the most significant part of our economy across this nation." Fraser believes, "SCORE is the premiere source of free counseling and advice, and a source of loan information for America's aspiring entrepreneurs."

Edie's extensive background in support of diversity and women spans four decades, and she is the founder of Diversity Best Practices and Business Women's Network. She is a

counselor and champion focusing on business results. She is an advocate for diverse leadership executive talent. Edie has worked to support more than 200 corporate organizations, and she has worked with more than 100 CEOs in support of diversity practices. Talent recruitment and retention are her number one issue.

"To say thanks to SCORE is easy. We know SCORE to be perhaps the most important program that the government has created with millions of donated hours of counseling in communities across America," says Edie Fraser.

On a personal note, Edie has been a dynamic and energetic force for women in business and diversity nationwide. A resident of Washington, D.C., Edie is active in many worthy causes. She currently serves on the Board of Directors of SCORE and Advisory Board of the U.S. Center for Citizen Diplomacy. She received the Big Brothers Public Service Award and was the recipient of the Big Brothers Most Outstanding Service Award for outstanding service to youth. Edie received the United States Peace Corps award and Peace Corps Princess with others from State Department and AID. Her commitment to mentoring and community service is an inspiration to all of us striving for equality and the opportunity to achieve the American dream.

THE DAILY 45: A SUBURBAN YOUTH SNAPS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday May 1, 2008

Mr. RUSH. Madam Speaker, the Department of Justice tells us that, everyday, 45 people, on average, are fatally shot in the United States. And while needless gun-related deaths continue to take place at a savage pace on Chicago's streets, including my district, we're not the only community in crisis.

The 45 people who die somewhere in America come in all shapes, sizes, colors and zip codes. In February of this year, in suburban Cockeysville, Maryland, 16-year-old Nicholas Browning confessed to taking his father's 9 mm Smith and Wesson and walking through his home and taking the lives of both his parents and his two younger brothers. According to his attorney, young Nicholas, an avid Sunday school student, apparently snapped for reasons unknown. One can only imagine what might have been if whatever demons he was confronting did not lead him to grab a gun.

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!"

HONORING DR. LASLEY FOR 45 YEARS OF SERVICE AT BUFFALO RIDGE BAPTIST CHURCH

HON. DAVID DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday May 1, 2008

Mr. DAVID DAVIS of Tennessee. Madam Speaker, I rise today to honor Dr. Lasley for his 45 years of service at Buffalo Ridge Baptist Church. Tennessee has been called the "Volunteer" state by the great efforts of our citizens during The War of 1812. Since The War of 1812 people like Dr. Lasley continue to show pride, dedication and service through volunteer efforts.

Dr. Lasley's wife Ellen, daughter Laurie, and sons Torrey and Calvin all embody the same giving and service oriented characteristics their father has bestowed upon them.

Since Dr. Lasley began his tenure in 1963, he grew the church from an average of 135 people per Sunday to over 766 per Sunday today. This is a true accomplishment and highlights his devotion to Buffalo Ridge Baptist Church and the parishioners who call that church home. What's even more is that Dr. Lasley helped spur a new donations program that has grown to receive about 1.7 million in total offerings in the year of 2007.

Dr. Lasley and Buffalo Ridge Baptist Church have continually shown their dedication to the community by leading its followers in five building construction programs. He has also emphasized missions and has even built a mission program that supports over 100 missionaries and mission agencies throughout the world.

Dr. Lasley's strong commitment to God is evident in the numerous hours devoted to studying His Word, preaching it, and encouraging others to become involved. Dr. Lasley has been a strong advocate for faith and has encouraged his church to live the same way leading by example.

Since Dr. Lasley took over Buffalo Ridge Baptist Church in 1963, he has been a true friend, asset, and noble man to Tennessee's First District. I ask that my colleagues join me today honoring Dr. Lasley for his great devotion, dedication, and service to Buffalo Ridge Baptist Church and Tennessee's First District.

HONORING MR. HERB RUBEN

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mrs. MCCARTHY of New York. Madam Speaker, I rise to congratulate Herb Ruben, who is being honored by Peninsula Counseling Center at its 95th anniversary celebration on May 13, 2008. Herb Ruben has served with extraordinary devotion and dedication for the past 50 years as executive director of Peninsula Counseling Center, the largest nonprofit community mental health center in Nassau County, New York.

Mr. Ruben has received many awards and has served in many capacities, always striving to strengthen and enhance the lives of individuals of all ages, to strengthen family life and to contribute to the social-psychological well-being of the community. He has served as past president of the Council of Family Service Agencies in New York State. He is the recipient of the Joseph M. Sokol Memorial Award from the Five Towns Community Chest; the recipient of the Distinguished Service Award from the New York Public Health Association, Long Island Region; and the Henry Brill Professional Award from the Nassau County Department of Mental Health for "outstanding achievements and leadership with the Mental Health community of Nassau County." In addition, he was presented with a Lifetime Achievement Award by the New York State Office of Mental Health.

Mr. Ruben has been a columnist with the South Shore Record where his articles "Within the Family" have appeared in the paper for more than 30 years.

Again, I wish to congratulate Herb Ruben and thank him for the leadership and direction he has brought to Peninsula Counseling Center, as its executive director. For 50 years, he has helped to make it the outstanding organization that it is.

TRIBUTE TO DAVID PLOTINSKY

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. REYES. Madam Speaker, I rise today to recognize Mr. David Plotinsky who recently left the House of Representatives to take a position with the Department of Justice.

Mr. Plotinsky served in the Office of the General Counsel for 10 years, first as a law clerk while he was a student at Georgetown Law School and, since 2000, as an Assistant Counsel.

Mr. Plotinsky provided frequent and invaluable legal advice and representation to the House Permanent Select Committee on Intelligence. Our staff came to rely on his expertise and guidance in connection with many of their investigative and oversight activities, as well as in the Committee's interactions with the other branches of the federal government.

Over the years, Mr. Plotinsky played a significant role in safeguarding the legal and institutional interests of the House of Representatives, and he served the House with great distinction. I know that he will serve the Department of Justice with that same level of distinction.

On behalf of the House Permanent Select Committee on Intelligence, I thank him for his many years of devoted service, and extend to him our very best wishes for his continued success.

HONORING SPIRIT OF COMMUNITY VOLUNTEERS CONNOR DANTZLER AND CHRISTOPHER ANDERSON

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. BARTLETT of Maryland. Madam Speaker, I would like to congratulate and honor two young students from my district who have achieved national recognition for exemplary volunteer community service by the 2008 Prudential Spirit of Community Awards program, an annual honor conferred on the most impressive student volunteers in each state and the District of Columbia.

Connor Dantzler of Damascus has just been named one of the top honorees in Maryland. An eighth-grader at John T. Baker Middle School, Connor is being recognized for his "Health through Humor" program. He has distributed over 5,000 joke books to patients,

their families and caregivers at hospitals and care centers throughout Maryland. In addition to delivering books to participating hospitals and health care centers, Connor spends time with patients and their loved ones. ''I've shared a smile and positive moment with a lot of people,'' said Connor. ''I hope that these efforts have made a difference to those who really needed something to laugh about.'' I am sure they did.

Christopher Anderson, a sophomore at Westminster High was named a finalist and will receive a bronze medal. I heartily applaud Christopher for his initiative in seeking to make his community a better place to live by renovating an outdoor break area for the Association for Retarded Citizens of Carroll County to make it accessible to disabled residents. Inspired by his uncle who has Down syndrome, he recruited more than 40 volunteers and raised $3,000 for the project. Christopher and his volunteers removed old rock, built special picnic tables, replaced wooden sidewalks and planted trees and shrubs in order to make the area handicapped-accessible. It will continue to have a positive impact on the lives of others for years to come.

Young volunteers like Connor and Christopher are inspiring examples to all of us, and are among our brightest hopes for a better tomorrow. The dedication and commitment by Connor Dantzler to sick hospital patients and Christopher Anderson to disabled individuals should fill all of us with pride that America's community spirit is strong. On behalf of the residents of Maryland's Sixth District I am honored to publicly thank and congratulate Connor and Christopher for their volunteer efforts. You give us hope and confidence that America's future will be led by a new generation of inspiring and compassionate leaders.

TAIWAN'S LEADERSHIP ON GLOBAL ISSUES

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. ROHRABACHER. Madam Speaker, in the 6½ years since terrorists attacked the American homeland, our government has undertaken a series of steps to prepare for, deter, and ultimately stop future attacks from occurring. In advancing these objectives, it has been essential to partner with like-minded nations to ensure security and freedom for all our citizens. In this regard, I would like to take the opportunity to express the appreciation of many in the Congress to President Chen Shuibian of Taiwan as he prepares to leave office later this month.

During President Chen's time in office, Taiwan has demonstrated time and again its commitment to global security and cooperation. Such actions have been forthcoming despite the preoccupation of an existential threat facing it from across the Taiwan Strait.

After 9/11, Taiwan immediately opened its airspace to U.S. military aircraft transiting Pacific routes to Afghanistan. It subsequently partnered with our government and others in the Container Security Initiative, which seeks to prevent illicit cargo from reaching rogue entities around the world. Furthermore, Taiwan has committed over $100 million to recovery efforts in Afghanistan, making it one of the most significant contributors to coalition efforts there.

Recognizing that global security can be advanced in a variety of ways, Taiwan has been a leader in addressing public health issues internationally. Struck by SARS in 2003, Taiwan acted swiftly to share information with other nations that helped limit its spread. Soon thereafter, Taiwan's experience in tackling avian flu was again made available to the international community in order to deter that contagion's deadly proliferation.

Beyond these multilateral efforts, Taiwan has also developed one of the most extensive bilateral development assistance programs in the world. For instance, it has established 36 long-term technical missions in 30 partner countries, focusing on capacity building, agriculture, fisheries, horticulture, livestock, handicrafts, medicine, transportation, industry, mining, electricity generation, printing, vocational training, trade and investment. Taiwan allocates approximately 100,000 tons of rice annually as humanitarian foreign aid. After the South Asia tsunami occurred in December 2004, the Taiwanese government provided $50 million in initial relief assistance, and cooperated with international non-governmental organizations in additional relief efforts. It also provided more than 355 tons of relief materials to tsunami-affected countries.

These and other measures undertaken by Taiwan over the past several years are to be commended. Under the leadership of President Chen, his government has served as a model for others seeking to play a constructive role in the international community. I encourage continued leadership by Taiwan as a new president prepares to assume office, and can assure him of America's enduring partnership in these efforts.

CONSOLIDATED NATURAL RESOURCES ACT OF 2008

SPEECH OF

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 2008

Mr. SMITH of Nebraska. Madam Speaker, I want to thank the House of Representatives for taking action on the Platte River Recovery Implementation Program today.

The Platte River has undergone extensive development for irrigation, power generation, and municipal water uses. The river system today contains 15 major dams and reservoirs and provides water for about 3.5 million people.

Existing facilities on the river provide hydroelectric power, irrigation water, flood control, recreation, and fish and wildlife habitat. Substantial portions of the economies of the Platte River basin States—Wyoming, Colorado, and Nebraska—are based on water supplied by the Platte River.

In 1997, the three States and the U.S. Department of the Interior signed an agreement to pursue a basinwide cooperative recovery implementation program to improve and maintain habitat for four threatened and endangered species which use the Platte River.

The legislation we are discussing today is designed to implement a multi-state cooperative approach to assist in the conservation and recovery of habitat for the Platte River's endangered and threatened species and to help prevent the need to list more species under the Endangered Species Act. The bill would also provide regulatory certainty to the cities and industries which rely on flows of the river.

As we move forward with the implementation of the program, positive and negative economic impacts must be assessed and considered in order to minimize adverse effects of the recovery efforts.

This legislation is the first step of many to protect and recover species and provide long-term water use for our communities.

THE RISKS AND REWARDS OF THE POPE'S VISIT TO THE U.S.

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. NEAL of Massachusetts. Madam Speaker, it is my privilege to enter into the CONGRESSIONAL RECORD today an article that was written by a constituent of mine, Thomas J. Carty, PhD, Associate Professor of History and American Studies at Springfield College in Springfield, MA. His article is entitled, The Risks and Rewards of the Pope's Visit to the U.S., and it outlines the history of the interaction of politics and religion as it related to papal visits in the past. I thought it was a pertinent piece in light of Pope Benedict's recent visit to Washington, DC and New York City.

THE RISKS AND REWARDS OF THE POPE'S VISIT TO THE U.S.

(By Thomas J. Carty)

Pope Benedict XVI's meeting this week with a U.S. president during an election year demonstrates how Americans increasingly tolerate the confluence of religion and politics. While George Bush does not face the prospect of election this year, his meeting with Pope Benedict may affect the presidential campaign. Bush's policies have both delighted and disappointed the Pope. The president's opposition to legalized abortion and embryonic stem-cell research earned him praise by John Paul II, but this pope also critiqued Bush and his father for resorting excessively to war in Panama, the Persian Gulf, and Iraq. For Bush, this meeting offers an opportunity to burnish his legacy as a defender of traditional values.

Bush can maximize benefit from this meeting by studying the successes and failures of Lyndon Johnson, Ronald Reagan, and Bill Clinton. Johnson's 1965 decision to greet Pope Paul VI strained traditional diplomatic protocol because no pope had previously set foot in the United States. Prior to the pope's landing in New York in order to deliver a speech at the United Nations, therefore, Johnson arranged elaborate plans to avoid appearing biased in favor of the Catholic Church. The president agreed to wait in New York's Waldorf-Astoria hotel for Pope Paul VI to visit Johnson's suite so that the president could deny having initiated the unofficial summit. Johnson certainly hoped such appeals to the pope might have helped his standing among Catholics in an eventual run for reelection. Yet the pope's public criticisms of U.S. bombing in Southeast Asia contributed to Johnson's later decision to withdraw from the 1968 presidential campaign.

By contrast, Pope John Paul II boosted Ronald Reagan's political popularity among

Catholics and conservative non-Catholics in the 1980s. Although the U.S. Catholic bishops opposed the construction of nuclear weapons and criticized Reagan's movement to expand U.S. armaments, John Paul and Reagan shared an uncompromising anticommunism. Meeting with the pope allowed the president to deflect attention from the American Catholic hierarchy's opposition to his arms buildup. When Reagan appointed an official, full-time ambassador to the Vatican in 1984, the president had established a direct diplomatic line of communication with the pope, and subverted the American bishops. Reagan showed none of Johnson's protocol concerns when deciding to stay an extra night in Alaska to coordinate an informal meeting with the pope, whose plane arrived the next day, in May 1984, a year in which a majority of Catholics voted to help him win reelection.

In the most analogous case with George Bush's position this year, Bill Clinton met with John Paul II in 1999 as a second term president unable to run again for reelection. Absent the Cold War, Clinton aggressively pursued common cause with Pope John Paul II in other areas. Due to Clinton's unapologetic support of legalized abortion and artificial contraception, the policies of this president clashed with the pope's absolute opposition to late-term, or ''partial birth'' abortions. Yet Clinton sought closer connections between U.S. and Vatican economic assistance programs while the Republican congress planned to curtail funding for foreign aid. The Catholic Church also endorsed Clinton's ambitions to provide government assistance to the poor and immigrants. These efforts may have helped Clinton obtain the meeting and photo opportunity with John Paul II at the same time as two Papal Knights in Congress (House Judiciary Committee Chairperson Henry J. Hyde and his legal counsel David P. Shippers) prepared the case for the president's eventual impeachment.

Since George W. Bush cannot legally compete in the 2008 presidential election, Pope Benedict may have more to gain or lose than the president in this year's papal-presidential meeting. Some reports indicate that the pope will court controversy by highlighting abortion in this presidential election year visit to the United States. If so, many Americans will charge the pope with a partisan appeal which threatens America's recent tolerance for Catholicism and church-state cooperation. If Benedict addresses respect for immigrants and the poor, as well as the unborn, however, he can avoid the appearance of favoring one political party platform over another.

CHIEF STANDING BEAR

SPEECH OF

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 29, 2008

Mr. SMITH of Nebraska. Madam Speaker, I rise today in honor of one of our nation's greatest advocates for Native Americans, Chief Standing Bear.

I have long said a leader does not make people do the right thing—a leader inspires them to do the right thing.

Chief Standing Bear was such a leader.

Born in Nebraska, the Ponca Chief and his tribe were forcibly moved to Oklahoma. In 1879, Chief Standing Bear was arrested and put on trial for leaving Indian Territory to bury his son in their ancestral home.

After a two-day trial, a federal judge recognized Standing Bear as human under the law and freed him, a landmark decision securing constitutional rights for all Native Americans.

I am proud to cosponsor H. Res. 1043, honoring Chief Standing Bear's life, legacy, and contributions to civil rights.

HONORING GERALD WALKER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. RADANOVICH. Madam Speaker, I rise today to congratulate Gerald Walker upon his retirement from Clovis Unified School District as the Director of Construction and Engineering. Mr. Walker will be honored at a reception on May 3, 2008.

Gerald Walker graduated from Clovis High School in 1953. Shortly after graduation he began to work for the School District. He has served 23 years with the Clovis Unified School District; 16 of those years as a member of the governing board and the past 17 years as the Director of Construction and Engineering. The District was able to complete over a billion dollars of construction related projects and is recognized as a leader in the area of school facilities in California. Under the direction of Mr. Walker, Clovis Unified has successfully completed over 200 projects, including 16 new elementary schools, 3 new intermediate schools, 3 new high schools, and countless modernization and improvement projects. For these accomplishments, Mr. Walker was recognized by the Builder's Exchange in 2007 for ''Outstanding Industry Achievement'' and by Darden Architects for ''Excellence in Building''. In addition, Mr. Walker has been a member of the District's Career Technical Education Advisory Committee.

Clovis schools have received many honors over the years, including being named numerous times as a California Distinguished School, a National Blue Ribbon School and National Drug Free Schools Program. Mr. Walker's dedication to providing exemplary school facilities and grounds has assisted Clovis Unified in attaining these achievements.

Madam Speaker, I rise today to commend and congratulate Gerald Walker upon his retirement from Clovis Unified School District. I invite my colleagues to join me in wishing Mr. Walker many years of continued success.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. COLE of Oklahoma. Madam Speaker, on Wednesday, April 30, 2008, I missed the first vote in a series of two votes. I missed rollcall votes Nos. 230, 231, 232, and 233.

Had I been present and voting, I would have voted as follows: Rollcall vote No. 230: ''aye'' (on agreeing to the Miller, George amendment to H.R. 5522); rollcall vote No. 231: ''aye'' (on agreeing to the Wilson (SC) amendment to H.R. 5522); rollcall vote No. 232: ''aye'' (on motion to recommit H.R. 5522 with instructions); rollcall vote No. 233: ''no'' (on final passage of H.R. 5522).

SPOKANE TEACHER RECEIVES PRESIDENTIAL AWARD

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mrs. McMORRIS RODGERS. Madam Speaker, I rise today to congratulate Linda Hutchinson, the Mathematics Department Head at Shadle Park High School in Spokane, Wash., on her outstanding performance as a mathematics teacher. In recognition of her exceptional contribution to the academic wellbeing of her students, Mrs. Hutchinson has been awarded the ''Presidential Award for Excellence in Teaching Mathematics and Science.''

The Presidential Award for Excellence in Mathematics and Science Teaching, PAEMST, is the highest recognition that a kindergarten through 12th-grade mathematics or science teacher may receive for outstanding teaching in the United States. Mrs. Hutchinson is one of just 108 teachers to receive this honor each year.

Mrs. Hutchinson was evaluated on five dimensions of outstanding teaching. She proved she demonstrated her mastery of mathematics content, and that her teaching methods increase student achievement. In addition, by winning the award, she has demonstrated that she evaluates and improves not only her students' achievement, but how she teaches the material. Finally, Mrs. Hutchinson is committed to improving her personal mastery of the content she teaches. She is also committed to mentoring and supporting other teachers at her school.

Providing quality education is a key to increasing America's competitiveness and creating a skilled, 21st century workforce. Today, over half of China's undergraduate degrees are in math, science, technology and engineering. Yet, only 16 percent of American undergraduates pursue these fields. To meet the demands of an increasingly advanced, global market we must better train and equip our nation's workforce and Mrs. Hutchinson is doing just that. Shadle Park High School is fortunate to have such an inspiring and committed teacher.

Madam Speaker, I rise today to commend Linda Hutchinson for her outstanding work as mathematics teacher. What an honor it is to receive this recognition from the President. I invite my colleagues to join with me in congratulating Mrs. Hutchinson on this great achievement.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. MILLER of Florida. Madam Speaker, I would like to offer a personal explanation of the reason I missed rollcall Vote No. 146 on March 14, 2008. I was meeting off Capitol Hill with over 100 World War II veterans from my

district who flew up on the Emerald Coast Honor Flight.

If present, I would have voted: Rollcall vote No. 227, Previous Question on the Rule for H.R. 5522—Worker Protection Against Combustible Dust Explosion and Fire Act, ''nay''; Rollcall vote No. 228, Rule for H.R. 5522—Worker Protection Against Combustible Dust Explosion and Fire Act, ''nay.''

CORSON BUILDING RIBBON CUTTING CEREMONY—FITTING TRIBUTE TO TONY AND CHRISTOPHER SOUZA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. FRANK of Massachusetts. Madam Speaker, on May 16 there will be a very important event in New Bedford, Massachusetts: the ribbon cutting for the newly renovated Corson Building, which will be dedicated on that date as a key component of the New Bedford Whaling National Historical Park Visitors Center.

I look forward to being joined at the ceremony by my colleague Senator EDWARD KENNEDY and many other people who have played an active role in both the initial establishment of the National Park and in the preservation and restoration of the Corson Building, an important historical structure which was nearly destroyed by fire in 1997. Through a combination of Federal, State and local government financing, along with non-profit funds and efforts, the building, now attached to the existing Visitors Center, will serve as a major educational facility with valuable public meeting space that will be available for both National Park programs and community meetings.

Among those who will be recognized at the celebration on May 16 for their efforts in making the Corson project a reality, there is one individual whose contributions over the years were crucial and deserve special mention. I speak of New Bedford native Tony Souza, who was the long-time Executive Director of the Waterfront Historic Area League, WHALE, the city's leading historic preservation organization.

While Tony and his wife Elsie (who did great work as the Deputy District Director of my Congressional office) moved a couple of years ago to Florida to pursue other opportunities, it is his vision for both the National Park and the Corson Building that we will to a large extent be honoring at the ribbon cutting event. A little known aspect of Tony's efforts to restore the Corson Building and convert it into an educational facility is that he took much of his inspiration for that work from his late son, Christopher Souza, who had been a member of Senator KENNEDY's staff.

Chris, who shared his parents' commitment to both improving New Bedford and preserving its wonderful historical legacy, sadly passed away at the age of 26 in 1994. This was of course a tragic loss for his family, but it was also a loss to the broader community because we were deprived of the talents of a young man who had chosen to dedicate himself to public service. Despite his grief over his son's passing, Tony gave some thought to steps he might take to honor Chris as an individual and also as someone who exemplified the next generation of young leaders. This consideration led ultimately to the idea of establishing the Corson Building, once it was rebuilt, as a facility with a primary focus on education, so that it could, among other purposes, play a key role in helping tell the young people of New Bedford the remarkable history of their city.

Like many complicated projects involving older structures and various levels of government—not to mention both the vagaries of the Congressional appropriations process and the National Park Service's property management regulations—getting the Corson Building to where it is today involved a slow series of steps with numerous detours. Along the way, it was necessary to stabilize the building after the fire; develop the necessary design for the renovation; and begin to assemble the requisite funds, all of which took time. Tony was consistently the driving force behind the efforts to overcome the obstacles that emerged, and I know that his desire to see the project completed was to a large extent a reflection of his love for his son. Indeed, he only decided to seek new challenges outside Massachusetts when it was clear that his vision for the project was well on its way toward completion.

So, the Corson Building ribbon cutting ceremony will be both a physical and a much more personal homecoming for Tony and Elsie. I join with Senator KENNEDY, and the elected officials, National Park Service representatives and area preservation activists and residents who will also be attending the event, in paying tribute to Tony Souza's vital contributions to this important accomplishment, and to his son Christopher, who was such an important inspiration for his father's work on the project.

IN HONOR OF CEIL CIRILLO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. FARR. Madam Speaker, I rise today to honor an invaluable member of the Santa Cruz community. After two decades of service, Ceil Cirillo has announced her retirement from her post as director of Redevelopment/Economic Development for the City of Santa Cruz. Ceil began her work in the Santa Cruz community after numerous buildings and homes had been destroyed in the Loma Pierta earthquake of 1989. As a part of her work as a director, Ceil acquired the challenge of reconstructing a devastated historic downtown Santa Cruz. Her success is evident today by the vibrant destination for shopping and dining that Pacific Avenue is today. Yet this endeavor was only the beginning of her accomplishments and contributions that continue to benefit the Santa Cruz commnunity.

To rebuild the commerce affected by the quake, Ceil oversaw local building expansion. Under her direction, the agency created a new department for the redevelopment of downtown, as well as a business outreach program to ensure commercial success both downtown and citywide.

Ceil's humanitarian efforts made a great impact on Santa Cruz citizens who needed help the most. One of these accomplishments was overseeing the construction of low-rent units; providing housing for families with limited incomes. She also facilitated the installment of emergency housing units, 26 of which are in their planning stages or already under construction. These projects, along with others, have resulted in 407,000 square feet of newly available housing; placing roofs over the heads of those who would otherwise have no place to call home.

In her reconstruction aid, Ceil has not let her artistic side go but rather channeled her passion for the arts in her efforts. She is keen on preserving and cultivating the rich culture of the community, and instituted the Tannery Arts Center and Pacific Avenue Multi-Modal Station, which today serve as outlets for local artists. In addition, in the unique spirit of Santa Cruz, she instated commercial facade projects, murals, landscaping and similar projects all over the city. These public artworks give significant aesthetic appeal to a city that had once been reduced to shambles.

Prior to coming to Santa Cruz, Ceil was the Director of Redevelopment for the City of Signal Hill, California, and in addition to some private sector employment, was a Special Assistant to the City Manager in Pasadena, California. She has received numerous awards in recognition of her works in the Santa Cruz community and has served on the Board of Directors of several local charities.

Madam Speaker, the City of Santa Cruz will miss Ceil's vision and leadership, but there is no doubt that she has left the City in a better place from when she first arrived. I wish Ceil the best in retirement and look forward to her continued involvement in the Santa Cruz community.

WAMU 88.5'S RAY DAVIS CELEBRATES 60 YEARS ON THE AIR

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. NORTON. Madam Speaker, Ray Davis, host of The Ray Davis Show on WAMU's Bluegrass Country, celebrates 60 years in broadcasting on May 2. Ray Davis joined WAMU 88.5 in 1985 to host Saturday Bluegrass, and shared hosting duties for the weekday afternoon program, Bluegrass Country, until 2001. He currently hosts 3 live hours of traditional bluegrass music on The Ray Davis Show at 3 p.m., weekdays, and 10 a.m., Sundays, on WAMU's Bluegrass Country, heard in Washington, DC, in HD Radio at 88.5, Channel 2, and online at bluegrasscountry.org.

Davis provides area bluegrass fans and online listeners worldwide with a daily dose of the traditional American art form, from prison songs and ''plum pitiful'' tunes to the great train rides—and train wrecks—of bluegrass music, all delivered with Davis' encyclopedic knowledge of the artists and the music. More than a D], Ray Davis is both a musicologist and an archivist who takes listeners on a stroll down bluegrass music's memory lane. His specialties, the plum pitiful tunes, are tearjerkers that explore universal themes of death, betrayal, and jealousy.

''Ray Davis is a legend in music broadcasting. He has helped define bluegrass music on-air since its earliest days as a discrete genre, and has placed a lasting imprint on it

with his dedication to playing, promoting, and recording its musicians,'' said Caryn G. Mathes, WAMU 88.5's General Manager. ''His booming, resonant voice is synonymous with the sound of bluegrass at WAMU, and his willingness to explore broadcasting on multiple new media platforms as radio evolves has been an inspiration to me.''

Davis began his radio career at the age of 15, when he left his boyhood home in Wango, MD, for a job at WDOV–AM in Dover, DE. He had jobs at other small town stations around the country, as well as a stint south of the border at XERF, the Mexican mail-order station that made Wolfman Jack famous, where he learned to be a radio pitchman. Davis returned to the east coast and spent 38 years hosting a popular bluegrass program from Johnny's Used Cars for WBMD in Baltimore, MD. In 1962, he began recording some of the Nation's finest bluegrass musicians and selling these recordings under his own label, Wango.

Davis hosts bluegrass festivals and concerts around the country, including the Delaware Valley Bluegrass Festival, and the Arcadia Music Festival. He also produces 15 hours of bluegrass music each week for WAMU's Bluegrass Country. When he's not acting as program host or concert emcee, chances are Davis is holed up in his basement studio producing CDs from hundreds of bluegrass tapes he's recorded over the years. Since the 1960s, Davis has been enlisting friends like Carter and Ralph Stanley, Don Reno, Bill Harrell, the Warrior River Boys, the Gillis Brothers, Owen Saunders, and a host of others to make his so-called ''basement tapes.'' The basement tapes include previously unreleased jam sessions with many of these legendary bluegrass artists.

American University's radio station since 1961, WAMU 88.5 is the leading public radio station for NPR news and information in the greater Washington, DC, area with more than 650,000 listeners in the region. WAMU 88.5 is ''your NPR news station in the Nation's capital.''

HONORING OUR COMMITMENT TO FILIPINO WORLD WAR II VETERANS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Ms. SPEIER. Madam Speaker, I stand before you this evening to discuss the plight of some 20,000 brave men who defended our country during World War II but have been neglected in their old age. I refer to the Filipino nationals who fought with American soldiers as part of the Recognized Guerilla Forces.

Madam Speaker, the sacrifice and suffering of these brave warriors has been well-documented. Without their support, some say, American forces likely would have been outmanned and outgunned at many of the decisive battles in the Pacific Theater during World War II. But because of an unfair designation set into law, our government treats one class of Filipino veteran differently than another.

In the days and months following the Japanese attack on Pearl Harbor, more than 250,000 Filipino nationals swore allegiance to the United States of America with the same oath each of us took when we became Members of this body. They fought side-by-side with our fathers and grandfathers and suffered casualties at a far higher rate than native-born American forces. In return, the Filipino soldiers were promised the same benefits and support as their American counterparts. In fact, in October of 1945, Gen. Omar Bradley, then Administrator of the Veterans Administration, reaffirmed that they would be treated like any other veterans.

But The Rescission Acts of 1946 changed that. As happens all too often in the halls of power, short-sighted political expediency won out over fairness and common decency. Faced with massive war debts, Congress excluded a class of veteran that had no voice and no vote. Since then, piecemeal attempts have been made to rectify the inequities of The Rescission Acts, but time is clearly working against us.

Today, the few Filipino veterans who are still living are in their eighties. Their number is estimated to be at or around 20,000, with 7,000 living in the United States. Many of those veterans reside in my district, which boasts the largest number of Filipino Americans in the nation.

Madam Speaker, I am not asking for special consideration. I am not seeking an earmark or a windfall or a handout. I am simply asking that we, as a nation, honor the promise we made to the brave souls who put their very lives on the line for the sake of America and all it stands for. Let us show our gratitude to the few remaining Filipino World War II veterans and restore the benefits due them and promised to them when they, like all of us here, raised their right hands and swore: I do solemnly swear that I will bear true faith and allegiance to the United States of America.

PAYING TRIBUTE TO DR. REBECCA MILLS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor Dr. Rebecca Mills, Ed.D by entering her name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. Today I pay tribute to Dr. Rebecca Mills for her service to the students at the University of Nevada, Las Vegas, and would like to commend her for her dedication and commitment to higher education.

Receiving her doctorate in secondary education, Rebecca attended the University of Arkansas at Fayetteville. After receiving her doctorate degree, she joined the University of Nevada, Las Vegas in 1987 as an assistant professor in the Department of Instructional and Curricular Studies. She would later become associate professor and then a full professor within the College of Education.

In 1998, she was appointed to the position of Senior Advisor to the President of the University, serving for two years before being named the Interim Vice President for Student Life in April 2001, where she served until her retirement in 2008. In this role, Rebecca worked with over 400 individuals to provide services and programs that support out-of-classroom learning for UNLV's more than 27,000 students.

Rebecca has published and presented nationally on such topics as organizational change, middle level education, teacher beliefs, and teacher development. She has also been featured in the National Forum of Teacher Education Journal and the National Forum of Applied Educational Research Journal. She is a recipient of several teaching awards including the Carnegie Foundation's Nevada Professor of the Year. She is active in the National Association of the Student Personnel Administrators (NASOA) serving Region V as the Public Policy Coordinator. She also belongs to the Association of College Personnel Administrators (ACPA) and has presented at several conferences.

Madam Speaker, I am proud to honor Rebecca Mills, Ed.D for her accomplishments at the University of Nevada, Las Vegas and applaud her for her contributions and dedication to the University of Nevada, Las Vegas. I wish her the best of luck in her future endeavors.

HONORING TAIWAN'S OUTGOING PRESIDENT CHEN SHUI-BIAN AND VICE-PRESIDENT ANNETTE LU

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. TANCREDO. Madam Speaker, I rise today to pay tribute to Taiwan's outgoing President Chen Shui-Bian and Vice-President Annette Lu.

Chen Shui-Bian and Annette Lu became Taiwan's second elected President and Vice-President in the year 2000. Perhaps more importantly, however, their election signified the first peaceful transfer of power from the Chinese Nationalist Party or Kuomintang—which had imposed martial law and ruled Taiwan for over a half-century.

In many ways, President Chen and Vice-President Lu's rise to the highest offices in the country is, itself, the story of Taiwan.

President Chen and Vice-President Lu's paths crossed for the first time among difficult circumstances. Ms. Lu was facing sedition charges for her work on the staff of Formosa Magazine, which had been critical of the Kuomintang dictatorship. Chen Shui-Bian, a young lawyer at the time, was a member of her defense team.

Ms. Lu was ultimately convicted and spent more than five years in prison, but the sentence failed to break her will or extinguish her passion for bringing democracy to Taiwan.

Mr. Chen lost the case, but he was won over by his clients' ideals. The defendants and their lawyers subsequently became the core of the democratic opposition in Taiwan. And Mr. Chen too, would spend time in jail for his political beliefs.

But the democratic movement they helped to spark would ultimately triumph. Martial law was lifted in 1987, and by 1996 then-President Lee Teng-Hui had initiated democratic reforms that allowed for the direct election of Taiwan's President and Vice-President.

After the lifting of martial law in Taiwan, Mr. Chen became a member of the Taipei municipal council, and after the birth of multi-party

politics and the formation of the Democratic Progressive Party (DPP), he became the capital city's first popularly elected Mayor in 1994. And in 2000, his election as President of Taiwan marked the first peaceful, democratic transfer of power in the history of either Taiwan or China.

After her release from prison, Ms. Lu was elected to Taiwan's legislature and later, Magistrate of Taoyuan County—the equivalent of a Governor here in the United States. In 2000, she was elected as Vice-President on the DPP ticket with President Chen.

In the span of two decades, Mr. Chen and Ms. Lu had gone from political prisoners to political leaders. Ms. Lu's response to a TIME Magazine reporter's question shortly before she and Mr. Chen were inaugurated in 2000 perhaps summed up this amazing transformation best:

The reporter asked, ''Fifteen years ago you were sitting in a jail cell as a political prisoner. When you take the oath of office, what thoughts will be going through your head?''

She responded, ''What I'm proud of is that the same party, the KMT, that suppressed me 20 years ago will be transferring power to me, peacefully.''

President Chen and Vice-President Lu spearheaded efforts to amend Taiwan's antiquated constitution to modernize Taiwan's fledgling democracy. They also conducted Taiwan's first ever citizens referendum—a milestone for democracy not just in Taiwan, but in all of Asia. Taiwan's voters rewarded the two for their diligence and commitment by re-electing them in 2004.

Under their leadership, Taiwan has deepened its democratic roots, and has become an even brighter beacon of democracy than when they first took office eight years ago. I hope that very soon, Madam Speaker, the people on the Chinese mainland will see that light, and emulate in that country what the Taiwanese have accomplished in their own.

Later this month, Mr. Ma Ying Jeou and Mr. Vincent Siew will be sworn in as Taiwan's new President and Vice President—signifying yet another peaceful transfer of power from one party to another in Taiwan.

So Madam Speaker, I rise to once again congratulate the people of Taiwan, and to recognize President Chen and Vice-President Lu for their contributions to democracy and human rights. I wish them both the best of luck as they leave office.

HONORING ALESIA HAMILTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize, Ms. Alesia Hamilton, an exemplary individual and first grade teacher at Edison Elementary in St. Joseph, Missouri.

In 2004, Ms. Hamilton, in accordance with her character of compassion and service, invited Mr. Alferd Williams, 70, into her class of 25 students in order that he may finally learn to read. Her generous nature and commitment to the task of working with Mr. Williams demonstrates her willingness to go above and beyond what is required as a public school teacher.

In accordance with my Resolution to recognize the roles and contributions of America's teachers through National Teacher Appreciation Week, I would like to take a moment to individually recognize Ms. Hamilton as an educator selflessly committed to the development of our nation's students.

Madam Speaker, I proudly ask you to join me in commending Alesia Hamilton for her service to America's students and for her efforts put forth in working with Mr. Williams. It is an honor to serve both of these individuals in the United States Congress.

IN HONOR OF POLISH CONSTITUTION DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of the Polish American Congress, Ohio Division, as they celebrate Polish Constitution Day—a day where the Polish Community shares their rich culture with the Greater Cleveland Community.

The first written European constitution, the Governmental Statute of Poland, was instated on May 3, 1971. Poland's Constitution was the result of nearly five centuries of struggle and perseverance by the people of Poland to diminish the power of the King and to create facets and institutions of government vital to the foundation of a constitutional government. Formed in 1949, the Polish American Congress is a national umbrella organization representing over ten million Americans of Polish descent and origin, and serves as a unifying force for both Polish Americans and Polish citizens living in America. Cleveland's Polish American community is deeply rooted and prides itself on their commitment to the values of family, faith, democracy, hard work and fulfillment of the American dream.

The Polish American Congress strives to make Americans of Polish heritage more successful and involved U.S. citizens by encouraging them to assume the responsibilities of leadership. Since its foundation over sixty years ago, the group has created programs to successfully integrate people of Polish decent in the U.S. and enrich Cleveland's social fabric. These programs include the Displaced Persons Program, which allowed almost 150,000 Polish immigrants to enter the U.S. after World War Two. The group also won American veterans benefits for Polish Veterans of both World War One and World War Two.

The Polish American Congress has played a crucial role in the Polish Community, and in its many years of support and service has been an invaluable contribution to the City of Cleveland and this nation. This year, the Greater Cleveland Community can celebrate Poland's rich history and culture by joining Cleveland's Polish community in attending events such as the Polonia Ball, the Grand Parade and the Photographic Exhibition.

Madam Speaker and colleagues, please join me in honor and celebration of the leaders and members of the Polish American Congress, as they celebrate Polish Constitution Day and as they continue to promote and share their heritage, history and culture with the Greater Cleveland community.

HOLOCAUST MEMORIAL DAY

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 1, 2008

Mr. GARRETT of New Jersey. Madam Speaker, today, I join with citizens around the world to commemorate Holocaust Memorial Day. On this day, we honor the European Jews who retained their human dignity in the midst of extreme suffering, and in many cases, offered passive resistance.

Some Jews opposed the Third Reich through participation in underground forces. In Warsaw, many banded together to fight the Nazis in the ghettos. Others used what meager means they had to preserve their culture. The U.S. Holocaust Museum, located just a few blocks from here, displays artwork and poetry created by Jews imprisoned in concentration camps—evidences of the prisoners' courage and resilience.

The genocide remains one of the darkest stains on the history of humanity and a testament to the strength of the Jewish people. As both a Member of Congress and a private citizen possessing a strong faith, I vow to always remember and respect those who suffered such a tragic fate.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S3649–S3733

Measures Introduced: Nineteen bills and five resolutions were introduced, as follows: S. 2951–2969, and S. Res. 544–548. **Pages S3698–99**

Measures Passed:

Farm Security and Rural Investment Act Extension: Senate passed S. 2954, to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008. **Page S3727**

Jicarilla Apache Reservation: Senate passed H.R. 3522, to ratify a conveyance of a portion of the Jicarilla Apache Reservation to Rio Arriba County, State of New Mexico, pursuant to the settlement of litigation between the Jicarilla Apache Nation and Rio Arriba County, State of New Mexico, to authorize issuance of a patent for said lands, and to change the exterior boundary of the Jicarilla Apache Reservation accordingly, clearing the measure for the President. **Page S3727**

Technical Corrections: Senate agreed to H. Con. Res. 340, to make technical corrections in the enrollment of the bill H.R. 493. **Page S3727**

National Child Care Worthy Wage Day: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H. Con. Res. 112, supporting the goals and ideas of a National Child Care Worthy Wage Day, and the resolution was then agreed to. **Page S3727**

Iraq Reconstruction Assistance: Senate agreed to S. Res. 494, expressing the sense of the Senate on the need for Iraq's neighbors and other international partners to fulfill their pledges to provide reconstruction assistance to Iraq, after agreeing to the following amendment proposed thereto: **Pages S3727–28**

Cantwell (for Reid) Amendment No. 4653, to improve the resolution. **Page S3728**

National Drug Court Month: Committee on the Judiciary was discharged from further consideration of S. Res. 534, designating the month of May 2008 as "National Drug Court Month", and the resolution was then agreed to. **Pages S3728–29**

National Substitute Teacher Recognition Week: Senate agreed to S. Res. 544, designating May 5 through 9, 2008, as National Substitute Teacher Recognition Week. **Page S3729**

Honoring Recipients of the El Dorado Promise Scholarship: Senate agreed to S. Res. 545, honoring the recipients of the El Dorado Promise scholarship. **Page S3729**

National Physical Fitness and Sports Month: Senate agreed to S. Res. 546, designating May 2008 as "National Physical Fitness and Sports Month" and the week of May 1 through May 7, 2008 as "National Physical Education and Sports Week". **Pages S3729–30**

North American Occupational Safety and Health Week: Senate agreed to S. Res. 547, designating the week of May 4 through May 10, 2008, as "North American Occupational Safety and Health Week" and May 7, 2008, as "Occupational Safety and Health Professionals Day". **Pages S3730–31**

Measures Considered:

FAA Reauthorization Act: Senate continued consideration of H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and taking action on the following amendments proposed thereto: **Pages S3655–89**

Pending:

Rockefeller Amendment No. 4627, in the nature of a substitute. **Pages S3655–89**

Reid Amendment No. 4628 (to Amendment No. 4627), to change the enactment date. **Page S3655**

Reid Amendment No. 4629 (to Amendment No. 4628), of a perfecting nature. **Page S3655**

Reid Amendment No. 4630 (to the language proposed to be stricken by Amendment No. 4627), to change the enactment date. **Page S3655**

Reid Amendment No. 4631 (to Amendment No. 4630), of a perfecting nature. **Page S3655**

Motion to commit the bill to the Committee on Finance, with instructions to report back forthwith, with Reid Amendment No. 4636, to change the enactment date. **Pages S3656–89**

Reid Amendment No. 4637 (to Amendment No. 4636), of a perfecting nature. **Pages S3656–89**

Rockefeller Amendment No. 4642 (to Amendment No. 4637), of a perfecting nature. **Pages S3660–89**

A motion was entered to close further debate on Rockefeller Amendment No. 4627 (listed above), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, May 1, 2008, a vote on cloture will occur at 2:30 p.m. on Tuesday, May 6, 2008. **Page S3689**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Monday, May 5, 2008. **Pages S3689, S3733**

A unanimous-consent agreement was reached providing that all first-degree amendments be filed by 3:30 p.m., on Monday, May 5, 2008. **Page S3733**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the issuance of an Executive Order that takes additional steps with respect to the national emergency that was originally declared in Executive Order 13047 of May 20, 1997; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–45) **Pages S3695–96**

Nominations Received: Senate received the following nominations:

Sean Joseph Stackley, of Virginia, to be an Assistant Secretary of the Navy.

Steven C. Preston, of Illinois, to be Secretary of Housing and Urban Development.

Liliana Ayalde, of Maryland, to be Ambassador to the Republic of Paraguay.

Tatiana C. Gfoeller-Volkoff, of the District of Columbia, to be Ambassador to the Kyrgyz Republic. **Page S3733**

Messages from the House: **Page S3696**

Measures Referred: **Page S3696**

Measures Placed on the Calendar: **Page S3696**

Enrolled Bills Presented: **Pages S3696–97**

Executive Communications: **Pages S3697–98**

Additional Cosponsors: **Pages S3699–3701**

Statements on Introduced Bills/Resolutions: **Pages S3701–21**

Additional Statements: **Pages S3694–95**

Amendments Submitted: **Pages S3721–26**

Notices of Hearings/Meetings: **Page S3726**

Authorities for Committees to Meet: **Pages S3726–27**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:33 p.m., until 9:30 a.m. on Friday, May 2, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3733.)

Committee Meetings

(Committees not listed did not meet)

HOMELESS VETERANS

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies concluded a joint hearing with the Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies to examine the issue of homeless veterans in the United States, after receiving testimony from Mark Johnston, Deputy Assistant Secretary for Special Needs, Office of Community Planning and Development, Department of Housing and Urban Development; Peter H. Dougherty, Director, Homeless Veterans Programs, Department of Veterans Affairs; Cheryl Beversdorf, National Coalition for Homeless Veterans, Steven R. Berg, National Alliance to End Homelessness, and Richard Weidman, Vietnam Veterans of America, all of Washington, D.C.; and Paul Lambros, Plymouth Housing Group, Seattle, Washington.

FINANCIAL LITERACY FOR HOMEBUYERS

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine financial literacy for today's homebuyers, focusing on quality consumer education and counseling, after receiving testimony from Sarah Bloom Raskin, Maryland Office of Financial Regulation, Takoma Park, on behalf of the Conference of State Bank Supervisors (CSBS); Kenneth D. Wade, NeighborWorks America, Washington, D.C.; and Ronni Cohen, Delaware Money School, Claymont.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Lily Fu Claffee, of Illinois, to be General Counsel, and William J. Brennan, of Maine, to be Assistant Secretary for Oceans and Atmosphere, both of the Department of Commerce, after each nominee testified and answered questions in their own behalf.

PUBLIC UTILITY HOLDING COMPANY ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the adequacy of state and federal regulatory structures for governing electric utility holding companies relating to the repeal of the Public Utility Holding Company Act in the Energy Policy Act of 2005 (Public Law 109–58), after receiving testimony from Senator Feingold; Joseph T. Kelliher, Chairman, and Philip D. Moeller, Jon Wellinghoff, Suedeen G. Kelly, and Marc Spitzer, each a Commissioner, all of the Federal Energy Regulatory Commission; Mark Gaffigan, Director, Natural Resources and Environment, Government Accountability Office; James Y. Kerr II, North Carolina Utilities Commission, Raleigh, on behalf of the National Association of Regulatory Utility Commissioners; David K. Owens, Edison Electric Institute, Washington, D.C.; and Scott Hempling, National Regulatory Research Institute, Silver Spring, Maryland.

MILITARY BUILD-UP ON GUAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the military build-up on Guam, focusing on the impact on the civilian community, planning, and response, after receiving testimony from Madeleine Z. Bordallo, Delegate from Guam; Guam Governor Felix P. Camacho, Hagatna; David F. Bice, Executive Director, Joint Guam Program Office, Assistant Secretary of the Navy for Installations and Environment, Department of Defense; Nikolao I. Pula, Acting Deputy Assistant Secretary of the Interior for Insular Affairs; and Brian J. Lepore, Director, Defense Capabilities and Management, Government Accountability Office.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Robert Stephen Beecroft, of California, to be Ambassador to the Hashemite Kingdom of Jordan, James B. Cunningham, of New York, to be Ambassador to Israel, Richard E. Hoagland, of the District of Columbia, to be Ambassador to the Republic of Kazakhstan, and Joseph Evan LeBaron, of Oregon, to be Ambassador to the State of Qatar, all of the Department of State, after each nominee testified and answered questions in their own behalf.

CHILDHOOD INJURY PREVENTION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine preventing childhood accidental injury, after receiving testimony from Ileana Arias, Director, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, Department of Health and Human Services; Alan Korn, Safe Kids USA, and Meri-K Appy, Home Safety Council, both of Washington, D.C.; Amber N. Williams, State and Territorial Injury Prevention Directors Association, Atlanta, Georgia; and Justin Bruns, Baltimore, Maryland.

INDIAN ENERGY DEVELOPMENT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine Indian energy development, focusing on regaining self-determination over reservation resources, after receiving testimony from Robert W. Middleton, Director, Office of Indian Energy and Economic Development, Office of the Assistant Secretary-Indian Affairs, Department of the Interior; Steven J. Morello, Director, Office of Indian Energy Policy and Programs, Department of Energy; Marcus D. Wells, Jr., Three Affiliated Tribes of the Fort Berthold Indian Reservation, New Town, North Dakota; Carl Venne, Crow Nation, Crow Agency, Montana; Steven C. Begay, Dine Power Authority (DPA), Window Rock, Arizona; and Julie Kitka, Alaska Federation of Natives, Anchorage.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of G. Steven Agee, of Virginia, to be United States Circuit Judge for the Fourth Circuit, who was introduced by Senators Warner and Webb, William T. Lawrence, to be United States District Judge for the Southern District of Indiana, who was introduced by Senators Lugar and Bayh, and G. Murray Snow, to be United States District Judge for the District of Arizona, who was introduced by Senator Kyl, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported an original 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.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 20 public bills, H.R. 5937–5956; and 7 resolutions, H. Con. Res. 339–340, and H. Res. 1168–1172, were introduced. **Pages H3017–18**

Additional Cosponsors: **Pages H3019–21**

Reports Filed: A report was filed today as follows:

H.R. 5579, to remove an impediment to troubled debt restructuring on the part of holders of residential mortgage loans, with an amendment (H. Rept. 110–615); and

H.R. 5818, to authorize the Secretary of Housing and Urban Development to make loans to States to acquire foreclosed housing and to make grants to States for related costs, with an amendment (H. Rept. 110–471). **Page H3017**

The prayer was offered by the guest Chaplain, Pastor Gary Strickland, Kingdom Place, Lumberton, North Carolina. **Page H2951**

Genetic Information Nondiscrimination Act of 2008: The House agreed to the Senate amendment to H.R. 493, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, by a yea-and-nay vote of 414 yeas to 1 nay, Roll No. 234—clearing the measure for the President. **Pages H2961–80**

H. Res. 1156, the rule providing for consideration of the Senate amendment, was agreed to by voice vote after agreeing to order the previous question. **Pages H2956–61**

Providing for consideration of motions to suspend the rules: The House agreed to H. Res. 1167, to provide for consideration of motions to suspend the rules, by a yea-and-nay vote of 228 yeas to 189 nays, Roll No. 236, after agreeing to order the previous question by a yea-and-nay vote of 226 yeas to 190 nays, Roll No. 235. **Pages H2953–56, S2980–81**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, April 30th:

Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service: H. Con. Res. 308, to authorize the use of the Capitol Grounds for the National Peace Officers' Memorial Service, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 237. **Pages H2981–82**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Making technical corrections in the enrollment of the bill H.R. 493: H. Con. Res. 340, to make technical corrections in the enrollment of the bill H.R. 493; **Pages H2982–83**

Ensuring Continued Access to Student Loans Act of 2008: Agreed to the Senate amendments to H.R. 5715, to ensure continued availability of access to the Federal student loan program for students and families, by a ⅔ yea-and-nay vote of 388 yeas to 21 nays, Roll No. 239—clearing the measure for the President; and **Pages H2983–87**

Amending Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008: S. 2954, to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 2, 2008—clearing the measure for the President. **Pages H2987–88**

Food and Energy Security Act of 2007—Motion to Instruct Conferees: Rejected the Flake motion to instruct conferees on H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, by a yea-and-nay vote of 157 yeas to 259 nays, Roll No. 238. Consideration of the motion began on Wednesday, April 30th. **Pages H2988–89**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, May 5th for morning hour debate. **Page H2992**

Food and Energy Security Act of 2007—Motion to Instruct Conferees: The House began consideration of the Ryan (WI) motion to instruct conferees on H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012. Further proceedings were postponed. **Pages H2992–95**

Food and Energy Security Act of 2007—Motion to Instruct Conferees: The House began consideration of the Kind motion to instruct conferees on H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012. Further proceedings were postponed. **Pages H2995–99**

Speaker pro tempore: Read a letter from the Speaker wherein she appointed Representative Hoyer and Representative Van Hollen to act as Speaker pro tempore to sign enrolled bills and joint resolutions through May 5, 2008. **Page H2999**

Presidential Message: Read a message from the President wherein he notified Congress of the issuance of an Executive Order that takes additional steps with respect to the national emergency declared in Executive Order 13047 relating to Burma—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 110–107).

Pages H2999–H3000

Senate Messages: Messages received from the Senate today appear on pages H2951 and H2987.

Senate Referral: S. 1760 was referred to the Committee on Energy and Commerce and S. 2954 was held at the desk. **Page H3017**

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today and appear on pages H2979–80, H2980, H2981, H2981–82, H2988–89, and H2989. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:46 p.m.

Committee Meetings

FDA GLOBALIZATION ACT

Committee on Energy and Commerce: Subcommittee on Health held a hearing on the Food and Drug Administration Globalization Act, focusing on Drug Safety Provisions. Testimony was heard from Janet Woodcock, M.D., Director, Center for Drug Evaluation and Research, FDA, Department of Health and Human Services; and public witnesses.

BROADBAND ACCESS DISABLED

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on a measure Enhancing Access to Broadband Technology and Services for Persons with Disabilities. Testimony was heard from public witnesses.

FHA HOUSING STABILIZATION AND HOMEOWNERSHIP RETENTION ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 5830, FHA Housing Stabilization and Homeownership Retention Act of 2008.

IRAQI REFUGEES/DISPLACED PERSONS

Committee on Foreign Affairs: Subcommittee on the Middle East and South Asia, and the Subcommittee on International Organizations, Human Rights and Oversight held a joint hearing on No Direction Home: An NGO Perspective on Iraqi Refugees and IDPs. Testimony was heard from Representative Blumenauer; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Subcommittee on Transportation and Infrastructure Protection began markup of the following measures: H.R. 4179, Fair, Accurate, Secure and Timely Redress Act of 2007; H.R. 4749, National Bombing Prevention Act of 2008; H.R. 5909, To amend the Aviation and Transportation Security Act to prohibit advance notice to certain individuals, including security screeners, of covert testing of security screening procedures for the purpose of enhancing transportation security at airports, and for other purposes; and H. Res. 1150, Expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines.

U.S. CAPITOL—ADMINISTRATION AND MANAGEMENT

Committee on House Administration: Subcommittee on Capitol Security held a hearing on the Administration and Management of the United States Capitol. Testimony was heard from Chief Phillip D. Morse, U.S. Capitol Police; Richard M. Stana, Director, Homeland Security and Justice, GAO; and Matthew Tighe, Chairman, U.S. Capitol Police Labor Committee.

UNSAFE FOREIGN PRODUCTS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 5913, Protecting Americans from Unsafe Foreign Products Act. Testimony was heard from public witnesses.

TOBACCO TAX ENFORCEMENT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the following bills: H.R. 4081, Prevent All Cigarette Trafficking Act of 2007; and H.R. 5689, Smuggled Tobacco Prevention Act of 2008. Testimony was heard from Representatives Weiner and Kildee; William Hoover, Assistant Director, Office of Field Operations, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice; David Lapp, Chief Counsel, Tobacco Enforcement Unit, Office of the Attorney General, State of Maryland; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Ordered reported the following measures: H.R. 5683, amended, Government Accountability Office Act; H.R.

3774, amended, Senior Executive Service Diversity Assurance Act; H.R. 5787, amended, Federal Real Property Disposal Enhancement Act of 2008; H.R. 5912, amended, To amend title 39, United States Code, to make cigarettes and certain other tobacco products nonmailable, and for other purposes; H.R. 5811, amended, Electronic Communications Preservation Act; the Thrift Savings Plan Enhancement Act; H. Res. 923, Recognizing the State of Minnesota's 150th anniversary; H. Res. 1113, Celebrating the role of mothers in the United States and supporting the goals and ideals of Mother's Day; H. Res. 1114, Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day; H. Res. 1122, Recognizing Armed Forces Day; and H. Res. 1132, Supporting the goals and ideals of Peace Officers Memorial Day.

NASA'S AERONAUTICS RESEARCH AND DEVELOPMENT

Committee on Science and Technology: Subcommittee on Space and Aeronautics held a hearing on NASA's Aeronautics Research and Development: Status and Issues. Testimony was heard from Jaiwon Shin, Associate Administrator, Aeronautics Research Mission Directorate, NASA; and public witnesses.

SMALL BUSINESS-FARMS RAIL TRANSPORTATION ACCESS

Committee on Small Business: Held a hearing entitled "Rail Transportation Access for Small Businesses and Family Farmers." Testimony was heard from public witnesses.

EDUCATION TAX INCENTIVES

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on Education Tax Incentives. Testimony was heard from Michael Brostek, Director, Tax Issues, Strategic Issues Team, GAO; Karen Gilbreath Sowell, Deputy Assistant Secretary, Tax Policy, Department of the Treasury; Dan Ebersole, Director, Office of Treasury and Fiscal Services, State of Georgia; and public witnesses.

Joint Meetings

IMPACT OF HIGH FOOD PRICES

Joint Economic Committee: Committee concluded a hearing to examine the ways that high food prices are impacting American families, after receiving testimony from Joseph Glauber, Chief Economist, Department of Agriculture; George Braley, America's Second Harvest, and Tom Buis, National Farmers Union, both of Washington, D.C.; and Richard Reinwald, Reinwald's Bakery, Huntington, New York, on behalf of the Retail Bakers of America and the American Bakers Association.

FARM BILL EXTENSION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, but did not complete action thereon, and recessed subject to the call.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D518)*

H.R. 1119, to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse and siblings of a recipient of the Purple Heart medal. Signed on April 30, 2008. (Public Law 110–207)

COMMITTEE MEETINGS FOR FRIDAY, MAY 2, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No Committee meetings are scheduled.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment-unemployment situation for April 2008, 9:30 a.m., SD–562.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED TENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through April 30, 2008

	Senate	*House*	*Total*
Days in session	66	50	..
Time in session	379 hrs., 22′	312 hrs., 11′	..
Congressional Record:			
Pages of proceedings	3648	2949	..
Extensions of Remarks	..	786	..
Public bills enacted into law	14	13	..
Private bills enacted into law	..	..	..
Bills in conference	5	7	..
Measures passed, total	161	272	..
Senate bills	20	14	..
House bills	35	108	..
Senate joint resolutions	1	1	..
House joint resolutions	1	1	..
Senate concurrent resolutions	10	3	..
House concurrent resolutions	10	25	..
Simple resolutions	84	120	..
Measures reported, total	*115	*108	..
Senate bills	70	1	..
House bills	34	70	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	2	..	..
House concurrent resolutions	2	1	..
Simple resolutions	7	36	..
Special reports	..	..	..
Conference reports	..	..	..
Measures pending on calendar	458	54	..
Measures introduced, total	563	1,328	..
Bills	420	1,006	..
Joint resolutions	4	6	..
Concurrent resolutions	14	60	..
Simple resolutions	125	256	..
Quorum calls	1	2	..
Yea-and-nay votes	114	160	..
Recorded votes	..	71	..
Bills vetoed	..	1	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 78 reports have been filed in the Senate, a total of 107 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through April 30, 2008

Civilian nominations totaling 321 (including 180 nominations carried over from the First Session), disposed of as follows:	
Confirmed	69
Unconfirmed	228
Withdrawn	24
Other Civilian nominations, totaling 813 (including 8 nominations carried over from the First Session), disposed of as follows:	
Confirmed	181
Unconfirmed	632
Air Force nominations, totaling 4,813 (including 5 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,738
Unconfirmed	75
Army nominations, totaling 1,338 (including 19 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,148
Unconfirmed	189
Withdrawn	1
Navy nominations, totaling 795 (including 3 nominations carried over from the First Session), disposed of as follows:	
Confirmed	185
Unconfirmed	610
Marine Corps nominations, totaling 1,522 (including 1 nomination carried over from the First Session), disposed of as follows:	
Confirmed	1,521
Unconfirmed	1

Summary

Total nominations carried over from the First Session	216
Total nominations received this Session	9,386
Total confirmed	7,842
Total unconfirmed	1,735
Total withdrawn	25
Total returned to the White House	0

Next Meeting of the SENATE

9:30 a.m., Friday, May 2

Senate Chamber

Program for Friday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, May 5

House Chamber

Program for Monday: To be announced.

Extensions of Remarks, as inserted in this issue

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