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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by guest Chaplain Rev. Brian Severin from Victory Christian Fellowship in Greeley, CO.

The guest Chaplain offered the following prayer:

May we all join our hearts in prayer.

Almighty Father, God of all creation, in the Name of our Lord Jesus, the author of salvation, I pray for each one of our Senators standing in this legislative gate, 100 of our Nation's best, in whose grasp is the throat of our fate. Give each of them Your wisdom amidst the confusion of our day. Help them embrace Superman's motto, bringing Truth and Justice, the American way. Protect their marriages and families, who are invaluable to each Senator's heart, and enlighten their children's generation with a genius redefining the term ''smart.'' May a tidal wave of unity erase the line drawn in the sand. May our Senators lift their voices as one, again declaring ''United We Stand.''

Help us, the people, support our Senators, help them ignore our selfish whine. May each of them fulfill their calling, guiding us through the storms of perilous times.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 8, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. PRYOR thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. DURBIN. Mr. President, today there will be a period of morning business for up to 1 hour, with the time equally divided and controlled between the two leaders or their designees. The Republicans will control the first half and the majority will control the final half.

ORDER OF PROCEDURE

I ask unanimous consent to amend this consent to note that Senator ALLARD wishes to say a word about the gentleman who just served as our Chaplain. I ask that his time not be deducted from the minority time in morning business.

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

Mr. DURBIN. Following morning business, the Senate will resume consideration of S. 2284, a bill to restore the financial solvency of the National Flood Insurance Fund.

As a reminder, all amendments to the flood insurance bill must be offered today. Senators should expect rollcall votes to occur throughout the day as we work to complete action on the bill. I ask everyone to focus on the amendments and showing up in a timely fashion. We want to complete this as quickly as we can.

MEASURE PLACED ON THE CALENDAR—S. 2991

Mr. DURBIN. Mr. President, I understand that S. 2991 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2991) to provide energy relief, hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

Mr. DURBIN. I object to any further proceedings with respect to the bill.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Minority leader is recognized.

DEMOCRATIC ENERGY PACKAGE

Mr. MCCONNELL. Mr. President, reading the morning papers, we learned a couple of key points about the energy proposal introduced yesterday by our

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friends on the other side. The most important point is that two central provisions of the bill are opposed by two of their own chairmen. In this morning's Albuquerque Journal, we learned that the Democratic chairman of the Senate Energy Committee does not like the so-called windfall profit tax. He called it ''arbitrary.''

Now, we know this is a bad idea that does not work. The last time a windfall profits tax was tried in the 1980s, it reduced domestic production and actually increased our reliance on foreign oil, just the opposite of a rational policy to reduce gas prices to make America more energy independent.

In the Wall Street Journal, we learned that the senior Senator from New York, the chairman of the Joint Economic Committee, is raising the alarm about another central tenet of the Democratic energy proposal, the energy futures trading provision. The Journal reports the chairman is saying the energy futures trading provisions, as written, would send the bulk of the trading that is now done in America, and thus American jobs, to markets overseas.

I agree with both of these chairmen. Two years have passed since Congressional Democrats said they had a ''commonsense plan'' to address high gas prices. This week Senate Democrats finally unveiled that plan, and their own chairmen do not seem to like parts of it. It is predictably high on taxes, more bureaucracy, and continued dependence on OPEC.

Their proposal would do nothing to lower the price of gas. It will only serve to further reduce domestic supplies and increase our dependency on foreign oil at a time when we are trying to make America more, not less, energy independent.

Republicans believe we should increase our supply of American energy to bring gas prices down and to create American jobs. Apparently our friends across the aisle believe we should continue to ask OPEC to increase its supply, while opposing additional production of American energy.

We will have an opportunity to vote on Monday on the proposal that the majority of Members on my side think would make an actual difference in the coming years. It is a fundamental difference of opinion. We can either proactively increase our domestic production or we can place greater dependence on foreign suppliers and further delay energy independence. Given the choice, I would rather produce more American energy and create more American jobs.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, I ask unanimous consent to respond in leader time in the absence of Senator REID.

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

Mr. DURBIN. Mr. President, Senator REID could not be here this morning and asked me to come to the floor if a response was necessary, and a response is necessary.

There are two fundamentally different approaches when it comes to America's energy futures between the Democratic side and the Republican side. The Democratic side believes that first we have to do everything we can to protect consumers of America from price gouging. We know what is happening. We cannot go to Illinois, Arkansas, Kentucky, or Colorado and not run into people saying we cannot understand why gasoline prices are so high. We know the price of a barrel of oil has gone up to record high levels because of price manipulation by the Saudis, OPEC, and other countries, and the Republican approach to this totally ignores it. We know the oil companies across the United States last week reported record profits in the first quarter of this year. Since President Bush came to office, the profits of the oil companies have more than quadrupled and the price of gasoline has more than doubled.

Does the Republican approach even address this? The answer is no. We have, in the Democratic approach, a windfall profits tax, which says to these oil companies: There is a limit beyond which you cannot go in gouging consumers and overcharging them for your products. As airlines are faced with bankruptcy, as truckers cannot afford to fill their rigs on the highways, as the cost of energy is passed on to us as higher food prices and the like, it is absolutely unconscionable that the oil companies continue to show record profits quarter after quarter, year after year, at the expense of our economy.

The Democratic approach deals with that. We go to the fundamentals. The windfall profits tax says to the oil companies: There is a limit to what you can take. Beyond that, the Government is going to tax you and make it clear to you that raising prices is not the answer.

Second, we are going to stop putting more oil at high prices into the Strategic Petroleum Reserve. If there ever was a time we should not be taking oil off the market, this is that time. We also provide in our bill for going after this OPEC coalition, the price collusion that is going on at the expense of the American economy.

We deal with price gouging to make sure the companies that engage in it know they are going to pay a heavy price for that kind of conduct. And we go after speculation, if it is excessive, to try to make sure we fuel any fires of speculation that might be adding to the cost of energy.

What do the Republicans offer in return? Drilling, drilling, drilling. They do not understand one fundamental fact: The United States has within its grasp, in our territory and territory we control, only 3 percent of the world's supply of oil—3 percent. Each year, we consume 25 percent or more of oil produced. We cannot drill our way out of this situation.

We have to stop price gouging on consumers. We have to hold oil companies accountable, and I think the Republican approach does neither. I am looking forward to this debate. I assume that by early next week we will have a vote and the American people will see where we stand.

WELCOMING THE GUEST CHAPLAIN

Mr. ALLARD. Mr. President, it is with great pleasure and pride that I rise to recognize and welcome the guest Chaplain for the Senate today, Pastor Brian Severin, who is the pastor of Victory Christian Fellowship Church, Greeley, CO.

Pastor Severin has served in the full-time ministry for 23 years. He was born and raised in northeastern Colorado before attending and graduating from the University of Northern Colorado, which is also located in Greeley.

Prior to coming to Greeley 6 years ago to minister to Victory Christian, he was the founding pastor for Church Alive in Sterling, CO, and served as pastor to New Life Fellowship in Yuma, CO.

He is joined today by his wife of 27 years, Joslyn Severin, along with 14 members of his congregation. My colleagues and I very much appreciate Pastor Severin taking time away from his duties in Colorado to help guide us through our deliberations today in the Senate.

May Pastor Severin's words of inspiration this morning make us wiser and kinder to each other as we go about conducting the people's business today.

I yield the floor.

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 time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me make one observation, that the guest pastor got his training at Rhema Bible College at Broken Arrow, OK. I was mayor of Tulsa, he reminded me, back at that time. So he had good training.

DOMESTIC ENERGY PRODUCTION ACT OF 2008

Mr. INHOFE. Mr. President, let me respond, firstly, if I can, to the assistant majority leader. First, it is easy to point the finger at oil companies. That is the easiest ''out,'' because everyone has this perception that all oil companies are doing great.

Here is the problem you have. If you were to take all profits from oil companies—let's forget about windfall profits; take it all, do not leave any at all for anything else, other than what they are putting into exploration—it would amount to 28 cents a gallon.

If you slashed their profits in half, as they are proposing to do, that would be 14 cents. Fourteen cents does not help a lot, at least my wife says it does not. And I think you know we are kidding ourselves. There are solutions to this problem, but that is not one of them.

Then as far as the Strategic Petroleum Reserve, we are putting about 50,000 barrels per day in there right now. If we were to halt that, over the course of a year it would equal less than one day of U.S. consumption. That is not what I call a fix. Fourteen cents a gallon is not a fix, one day of time is not a fix.

But there are some things we can do. We do have an amendment, amendment No. 4720. It is by our leader, Senator MCCONNELL, and by Senator DOMENICI. This actually was a bill. It was going to be the Domestic Energy Production Act of 2008, but we are offering it now as an amendment. This would handle a lot of the problems. First, if we had all of the production out there that we needed to take care of America's needs, we still could not do anything, because we do not have the refining capacity. Two years ago I introduced the Gas Price Act. I could not believe it went down right on party lines. The Democrats flat do not want to increase our refining capacity. This happened in the Environment and Public Works Committee. It was actually a pretty smart approach to it. We were taking a lot of the closed bases and using them and allowing EDA grants to take place so that adjoining communities could turn those into refineries, and also streamlining the process and all of that.

Well, it went right down on party lines. So this amendment we are going to be talking about is one that will do something about the refinery capacity. The one we introduced, the amendment, streamlines the permitting process so there would be a maximum on any new refinery of 360 days on a new refinery or an expansion of 180 days.

We have not increased our refining capacity. We have not had a new refinery in 30 years. Other countries are doing it. China is doing it. Mexico is doing it. But we are not. So that is the first thing we need to do, increase refining capacity.

Secondly, everybody hold on, because this is something I know is very foreign to our thinking nowadays, it is an old concept called supply and demand. We have a lot of demand for gas out there. We know that. We know when we go to the pump. The problem is the supply. I hate to say it. Is there a chance? I am kind of excited that the public now has the attention of the high prices and realizes we are going to have to do something besides the gimmicks the assistant majority leader talked about. That would be to increase our drilling capacity. We could do it on ANWR. People talk about the fact that this is pristine wilderness. First of all, I challenge anyone to look at this area. It is not a pristine wilderness. The main thing is, if you take that little area that we have, with huge reserves, we have been trying to do something with it. It compares as a postage stamp does to a football field. It is such a small amount. All the Natives there want it. All the Alaskans want it. It is their land. That would be the first thing we should do to increase our capacity.

We tried this. We passed this 10 years ago. Then President Bill Clinton vetoed it. If he had not, that would be flowing today. All the people who are complaining about that are the same ones who complained about the Alaska pipeline. They said it was going to kill all the caribou. Go up there now during the summer months, and they have increased the number of caribou up there primarily because in some parts of Alaska, the only shade they can find is the Alaskan pipeline. They are all lined up there. So it is not a problem.

The other major area of production potential would be to go offshore. It is interesting. One of the things in this amendment is to allow States to determine what they want to happen offshore. It is interesting, some of the States, such as Virginia, south of where we are standing right now, very much wants to. I have talked to Senator WARNER. They are talking about allowing production offshore. Several other States have wanted to do that. It is a wake-up call we have right now that we are going to have to do some of these things. It is interesting that Canada allows offshore drilling in the Pacific, the Atlantic, and the Great Lakes. Cuba is also looking to expand drilling, which could occur 45 miles off parts of Florida. If this happened, they would be doing it with technology that is much less environmentally friendly than we have right now. So we have the possibility the Cubans are going to be doing something without any emission controls, without any environmental precautions, and we would be allowing it.

Another part of this amendment is to repeal section 526. This is something that should not have been in before. This was actually put in in the Energy bill that was passed in December of 2007. Section 526 prohibits Federal agencies from contracting to produce nonconventional alternative fuels that emit higher levels of greenhouse gas emissions than conventional petroleum sources. The scope of the fuels that could be prohibited is left wide open to interpretation, including fuels such as Canadian oil sands, E85 ethanol, the coal and natural gas-to-liquids fuels. This was an experiment I had something to do with, as did the occupant of the chair, in the Senate Armed Services Committee. We now have a B–52H bomber that is actually running on gas-to-liquid fuel. So we know this is something that works. We know it can help our situation.

What I don't have time to get into because I only had 5 minutes, but I wish to do it later, is the ethanol mandate that came with the December of 2007 bill. Right now we know that ethanol—and quite a few of the far-left environmental extremists were behind this thing to start with; in fact, former Senator Al Gore, Vice President Al Gore has stated he cast the deciding vote to allow ethanol in the first place—is not environmentally sound. It is expensive. It is not good on engines, and it is competing. In my State of Oklahoma, our livestock people say we can't continue to have the biomass fuels competing with our feedstocks. Almost everything you see that is high priced now in the grocery stores you can trace back to the ethanol mandate. One of the things we will be wanting to do—and I will elaborate on it later—is to exercise the part of that bill that gives the EPA the opportunity to be involved in a waiver of the ethanol mandate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, the American Energy Production Act of 2008 is being offered as an amendment to the flood insurance legislation before us today. I am an original cosponsor of the American Energy Production Act.

The thrust of this legislation is expanding American energy supply through many different avenues. I view this amendment as an essential step forward in both addressing the short-term as well as the long-term American energy supplies. I also view this amendment as the right policy to deal with today's high price of energy. America needs to advance its energy policy, and this amendment deserves immediate consideration.

There are many excellent provisions of the amendment that is before us. I am particularly interested in a provision to ramp up production of 6 billion gallons of fuel derived from coal. The provision would start with a mandate of 750 million gallons of alternative coal-to-liquid fuels and then ramp up by a similar amount over the following 7 years, beginning in year 2015. Analysts estimate this provision will result in a reduction in the amount of oil America is projected to import.

Simply put, coal is an abundant, affordable, reliable, and secure source of energy. Coal can also be a clean energy source. These coal-to-liquid fuels would likely be used first by our military. The Department of Defense would be allowed to sign longer contracts for synthetic fuels. The duration of the contracts would be expanded from the current 5 years to 25 years. By doing that, this simple provision provides great potential because it adds certainty to the market and provides another incentive to develop coal-to-liquid facilities. In a time of soaring

prices at the pump, this provision deserves serious debate, serious consideration.

The fundamental energy issue before us is one, as we have heard from all speakers, of supply and demand. It is a time for Congress to take action, action that can have a real important impact on America's energy supply.

America's coal is vital to our Nation's economic prosperity and our Nation's security. Coal is a crucial part of America's energy portfolio. Coal provides a foundation for a competitive economy, a secure future, and a prosperous information technology sector. Wise use of natural resources drives America's innovation and our economic success. From the steam engines of yesterday to the superconductors of the world, coal has powered this Nation. Now is the time to support the technology and development of coal to liquids. This will allow coal to be an important contributor to America's transportation fuel. After all, coal is strategically found in States throughout the Nation, both in the East as well as the West.

The countries competing with us economically—India, China—rely heavily on coal. They are poised to exploit coal's many benefits. In order for us to sustain America's current economic leadership, we must continue to harness the vast potential of coal. Energy sources often face challenges. You know what they are: reliability, security, economic competitiveness, ease of conversion, impacts on food supply, and environmental considerations. Coal provides an essential on-demand energy supply in the United States, and coal is a low-cost energy source. Coal has enormous potential to be converted into transportation fuels. At a time when America faces record prices at the pump, coal should be used to produce gasoline, diesel fuel, and jet fuel. Several provisions in the American Energy Production Act of 2008 move America's use of coal and domestic energy in the right direction. America's energy and economic security will depend on promoting technologies that are related to coal. The time to act to expand America's energy portfolio is now.

I urge adoption of the amendment when it comes up for a vote.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. May I ask how much time remains in morning business on our side.

The ACTING PRESIDENT pro tempore. There are 15½ minutes.

Mr. CORNYN. Mr. President, I thank the Senator from Oklahoma and the Senator from Wyoming for their excellent remarks on the energy crisis. I want to focus attention on a couple of numbers this morning.

The first number is $3.65. This is the average price of a gallon of gasoline now for sale across America. Contrast that with the figure of $2.33. That shows how much the price of gasoline has gone up across the country since January 4, 2007. If we extrapolate what that means for the average American family, they have seen a decrease in their standard of living or an increase in their cost of living by roughly $1,400 a year as a result of this increase in gasoline prices.

Another figure I wish to mention is the figure 745. That was 745 days ago, when Speaker NANCY PELOSI, before she was Speaker, said that if she and her fellow Democrats were given the majority, they would come up with a commonsense plan to reduce gas prices. That was 745 days ago. Notwithstanding the fact that they announced a plan yesterday—I will talk about that in a minute—we are still waiting for a commonsense plan to bring down gas prices at the pump.

Here is the quote:

> Democrats have a commonsense plan to help bring down skyrocketing gas prices.

This was the Speaker of the House, April 24, 2006. As I said, we are still waiting for that plan.

You heard both the Senator from Oklahoma and the Senator from Wyoming talk about some aspects of the legislation, the so-called Domenici amendment, which we will vote on, on Monday, and of which I am a proud cosponsor. But let me focus on the plan announced by Majority Leader REID and the Democratic leadership yesterday. First, we will find some very familiar elements to this plan rolled out by the Democratic leadership. It bears some remarkable resemblance to previous plans they have rolled out. The No. 1 element is it produces not one single drop of additional oil or gas or energy, not one drop. The other characteristic it bears a remarkable resemblance to in terms of past proposals is that they basically suggest we tax, we litigate, and we investigate our way to greater energy independence. This is a formula which, although familiar, is one that has not shown itself effective, obviously, in bringing down the pain at the pump, the price of gasoline.

First, they said: We are going to investigate price gouging by the oil and gas industry. We have seen investigations by the Federal Trade Commission. We have had numerous hearings that have found basically no substantiation for so-called price gouging. In fact, the cost of oil and gasoline has been related to unrest around the world in dangerous parts of the world where the supply may be in question, whether it is the Middle East or elsewhere.

They found that the failure of Congress to remove the regulatory burden to construction of new refinery capacity has led to a bottleneck when it comes to refinery capacity where that oil is then transformed into gasoline that we burn in our gas tanks.

Then, of course, there is the fact that we cannot repeal the law of supply and demand, and that unless we are going to do something about increasing the supply of oil, that if we fix the amount of oil available worldwide because we refuse to open America's own natural resources in order to expand that supply, that rising demand for oil by countries such as China and India—which have more than a billion people each who want the kind of prosperity and enjoy the sort of economic vitality the United States has—they are going to place greater demands on that fixed supply of oil so they can benefit, as America has, from having access to low-cost—relatively low-cost—energy for a long, long time.

So price gouging is something for which we have had investigations in the past. We have had hearings in the Senate Judiciary Committee, on which I am proud to serve. The Federal Trade Commission has investigated it until they were blue in the face and found no real evidence of price gouging but, rather, a deficit of supply when it comes to increasing demand as the most likely cause.

Now, the second element of the Democratic leadership's so-called energy policy is litigation. In other words, we are going to sue the Organization of Petroleum Exporting Countries.

Now, I have heard some of our colleagues talk about another context: We need to engage countries such as Iran and Venezuela and talk to them directly about geopolitical matters and about security matters.

This is the first time, really, I have heard them talk about suing countries such as Iran and Venezuela and the Organization of Petroleum Exporting Countries. The irony of it is, what are we going to sue them for? We are going to sue them for, presumably, more oil or make them turn the spigot open even wider, ironically forcing us to become more dependent on imported oil from dangerous regions across the globe and from people who are not our friend—President Ahmadinejad in Iran, head of an Islamic extremist government on the terror watch list of the State Department as a state sponsor of international terrorism in the Middle East; and then there is Hugo Chavez in Venezuela, somebody who is not our friend, somebody who harbors narcoterrorists in the FARC and other organizations in his country. These are the kinds of people we are going to continue to depend more and more on by somehow filing a lawsuit against them and forcing them to sell us more of their oil? How is that going to make us more energy independent? How is that going to enhance our national security and our economy?

Well, then there is the other answer we have heard in the Democratic leadership plan they proposed—this one, again, is a familiar solution, or I should say a nonsolution—and this has to do with the so-called windfall profits tax.

Well, I think we ought to learn from history or else we will be condemned to relive it. Over the entire 1980 to 1986 period, in which the U.S. Government

had a windfall profits tax, it, in fact, reduced domestic production from between 320 million barrels and 1,268 million barrels. That is almost 5 percent of overall production. If you think about it, there is an easy way to understand that. If you put an increased tax on American producers—because, of course, we cannot put an increased tax on OPEC, on Venezuela, on Iran, and these state-owned oil companies—the fact is, we put an increased tax burden on our own domestic producers.

Of course, we find that the Congressional Research Service has found that last time we tried a windfall profits tax, it decreased our domestic oil production. Why in the world would we want to do that? How does that help increase the supply of America's natural resources, which can help ameliorate some of this pain at the pump by increasing supply and thus bringing down, hopefully, the cost of a barrel of oil and then the refined product of gasoline?

Well, the last suggestion has to do with the strategic oil reserves. That is a final answer, by eliminating the 70,000 barrels a day that we put into the strategic oil reserves. Now, I think there may be a case for reducing or eliminating the 70,000 barrels of oil a day that go into the Strategic Petroleum Reserve. But I have to tell you, the world consumes roughly 85 million barrels of oil a day—85 million barrels of oil a day. What effect is 70,000 barrels a day that would not go into the Strategic Petroleum Reserve, what impact would that have on reducing the price of oil globally or bringing down the price at the pump? Well, my calculation is that by reducing the amount of oil going into the Strategic Petroleum Reserve, we could bring down gas prices maybe 2 cents or 5 cents per gallon. Maybe that would be welcomed but hardly adequate to deal with the high gas prices we have sustained and are experiencing today.

But I want to take that one step further. If our Democratic friends believe reducing the amount of oil that goes into the Strategic Petroleum Reserve by 70,000 barrels a day is a good idea because that might reduce, although infinitesimally, the cost of gasoline, how much more sense would it make to explore and develop the million-barrel-a-day capacity that is located in Alaska in the Arctic National Wildlife Refuge? If you take the million barrels of oil a day that could be produced from ANWR, then you are talking about—according to the same calculation I just used on the Strategic Petroleum Reserve—reducing the pricing of gasoline, by an additional million-barrel supply of American oil a day, by 85 cents to $2.14 a gallon. Now, that would be a real impact, to be able to bring down the price of gasoline by 85 cents to $2.14 a gallon.

I just mentioned the ANWR reserves. But it is estimated if we were actually to open not only Alaska to environmentally responsible development of those oil and gas reserves located there and produce an additional million barrels a day of oil, that if we were also to leave up to the States—States such as Virginia and other States, Alaska—the option to open their Outer Continental Shelf to oil reserves, to further production, if we were to open some of the oil shale and oil sands out in the West to production, we could develop another 3 million barrels of oil capacity right here in America without having to depend more and more on foreign sources of oil.

If you take the same argument our friends have offered on the impact of reducing deposits of oil in the Strategic Petroleum Reserve and that that would actually have an impact on price, how much more would it have a beneficial impact on lowering the price if, in fact, we were to open up America's natural resources here at home?

We will have an important vote on Monday where the so-called Domenici amendment—which I am proud to join—will be offered for a vote, where the Senate can go on record in showing where they stand when it comes to this effort to help bring down the price at the pump, which Speaker PELOSI announced 745 days ago. The highlights, as I have already mentioned, of that bill are opening portions of the Outer Continental Shelf, as we have the Gulf of Mexico 300 miles offshore from the State of Texas. I tell you, you cannot even see the drilling activity out there 300 miles offshore. Indeed, the drilling activity could occur in the Outer Continental Shelf beyond the horizon in a way that is not even visible to people on shore.

I mentioned the Arctic National Wildlife Refuge. Tapping into that oil and gas, which we know is there, would immediately produce—once it is done—huge volumes of oil that could help relieve our dependence on imported oil.

We know that building additional refineries would help relieve some of that bottleneck when it comes to refining the oil into gasoline. Of course, 70 percent of the price of gasoline is the price of oil, but another part of it is the burden we put on the permitting process for the construction of new refineries or expanding refinery capacity.

My colleague from Wyoming talked about coal, and I agree with him that we ought to use good, old-fashioned American ingenuity in our research and scientific ability to figure out, how do we use this coal—we are the ''Saudi Arabia'' of coal—how do we use it in a way that is compatible with a good environment? The technology has already been demonstrated, things such as coal-to-liquids technology, coal gasification, which can capture the carbon, deal with the environmental concerns, and yet provide us access to energy which can help drive our economy and help make us less dependent on imported oil and gas from other parts of the world.

So, Mr. President, I hope our colleagues on the other side of the aisle will come forward with additional ideas. I have explained how the proposals they have made would have no impact, would provide no supply but would really just rehash old, tired themes which have been shown not to work in the past. But I think the debate is an important one, and I look forward to continuing it.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

60TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

Mr. MENENDEZ. Mr. President, I rise to honor and celebrate Israel's 60th anniversary. On a sad note, this is the first year that we honor Israel's anniversary without my friend and former colleague, Congressman Tom Lantos, former chairman of the House Foreign Affairs Committee. Mr. Lantos was the only Holocaust survivor to ever serve in Congress, and his recent passing has left a hollow void for all of us.

Mr. President, on April 22 of this year, the Senate unanimously adopted a resolution expressing our unwavering commitment to the sovereign and independent State of Israel.

Sixty years after its founding, we now witness a strong nation, a steadfast ally and strategic partner of the United States, a dynamic democracy with a thriving economic, political, cultural, and intellectual life, that survives despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts.

We now witness an innovative nation which has developed some of the leading universities in the world and produced eight recipients of the Nobel prize.

We now witness a compassionate nation, which regularly sends humanitarian aid, search-and-rescue teams, mobile hospitals, and other emergency supplies to help victims of disasters around the world and which has taken in millions of Jews from countries around the world, often fleeing those countries and persecution. These accomplishments have followed one of the most tragic events in human civilization: the slaughter of more than 6 million European Jews during the Holocaust.

We are reminded that, as I have said many times before on this floor, the events of the Holocaust are not distant and are not buried in the past. Today, those who survived the camps live to tell us their story, the stories of their families and their lives before the Holocaust. Their children and grandchildren are here with us too. They are living testimony to the strength, the courage, and optimism of their parents and grandparents. But in their hearts and in their souls they feel the pain and suffering of those who raised them. In them, too, the past is present.

Echoes from that tragedy still rattle our world in other ways. Every time a hateful slogan is spray-painted on a

wall, every time a bigoted joke spreads like wildfire on the Internet, every time a synagogue somewhere in the world has to station armed guards outside so its members can pray in peace, and every time a terrorist Qassam rocket attack from Gaza shatters a pane of glass at a family's home or a school, we feel the dark shadows of history falling upon our time.

It is a harsh reality that 60 years after its founding, the nation of Israel continues to face mounting threats to its way of life and its existence. Sixty years after the establishment of a homeland for the Jewish people, antisemitism is very much alive.

So those who speak against the sovereignty of Israel or threaten its obliteration or who believe that antisemitism is an attack that need not be answered, do not recognize the consequences of history. In fact, an attack against anyone simply because of race or religion is ultimately the beginning of the unraveling of civilization. So it is in our common interests to raise our voices against antisemitism.

By honoring and commemorating the 60th anniversary of Israel, we do more than congratulate a nation. We take a stand against hatred and discrimination everywhere. We recognize a triumph over fear and achievement of industriousness, a victory of hope. We express our sincere confidence that despite the challenges its people have faced, despite the threats to their very existence, Israel has and it shall overcome.

Israel and the Jewish people have held many commemorations and events over the past week. Yesterday was a day to remember those who gave their lives to protect the State of Israel and others who have fallen victim to attacks from its enemies. Today is a day to celebrate the nation's 60 years of life. It is a day for celebration and for strong action.

On this day, we pause to commemorate all of those who have contributed to make Israel such a strong nation, and we pledge to continue to strengthen our bonds of close friendship and cooperation so that as proud as this nation's history is, the future will be even brighter still.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, I thank my colleague from New Jersey for his powerful and eloquent words. I am privileged now to stand to join him in giving honor and celebrating the 60th anniversary of the founding of the modern State of Israel, which is a day truly to celebrate.

The 20th century witnessed unprecedented horrors inflicted by man against his fellow man, from the trenches of World War I to the gulag archipelago of the Soviet Union to the killing fields of Cambodia and Rwanda and, of course, the genocide perpetrated by Nazi Germany against the Jews of Europe.

Against these acts of bloodshed and repression and violence, the creation of the modern State of Israel in 1948 stands as a counterpoint in human history, a soaring act of hope and faith in our capacity as human beings to rise from the ashes of despair and to rebuild and restore that which for so long had seemed hopelessly lost.

The modern history of the State of Israel goes back 60 years, but of course the history of Israel goes back more than 4,000 years ago to the first words that God spoke to Abraham as recorded in Genesis 1:21:

> Now get thee unto the land that I will show thee, and I will make thee a great Nation.

That was the covenant that God made with Abraham and which God repeated to Isaac, to Jacob, and then to Moses who, with God's help, delivered the children of Israel out of bondage in Egypt to Mount Sinai where they received the Ten Commandments, their national statement of purpose and destiny, and then after 40 years in the wilderness, returned to the land that God had promised—the land of Israel.

It was there in the land of Israel more than 3,000 years ago that King David entered Jerusalem and declared it to be the capital of the Jewish people. And it was there in Jerusalem that David's son Solomon built a holy temple to house the Ark of the Covenant and the Ten Commandments. Thus in one place was established both the political capital of the Jewish people and the religious center of that people's faith.

It was also there almost 2,600 years ago on a dark day in history that the temple that Solomon built was destroyed. The Jewish people were forced into exile, returning just 40 years later to their homeland to rebuild the temple. It was during the time of the second temple under Roman rule that Jesus of Nazareth lived, preached, taught, and healed the Jews of Israel. But the temple was to be destroyed once more, and most, if not all, of the Jews were forced to flee the land.

For nearly two millennia, the Jewish people in the Diaspora prayed every day that they could return to the promised land. For almost 1,900 years, the State of Israel was thus carried in the hearts of millions of these Jewish exiles, and even more millions of Christians who prayed some of those same prayers for Zion's restoration, particularly here in America.

That collective yearning gave rise to a new political movement at the end of the 19th century—the modern Zionist movement. It was led by Theodore Herzl and a small band of followers, Jewish and Christian, throughout the world. Many people said those early Zionists of the modern era were naive dreamers, but Herzl replied: ''If you will it, it is no dream.'' If you will it, it is no dream. Will it they did, and work for it they did. In 1948, 60 years ago this month, their dream became a reality.

The story of Israel's rebirth is inextricably bound up in the story of another extraordinary principal, purposeful nation with its own special sense of destiny, and that is, of course, our own beloved country—the United States of America.

From the earliest days of our Nation's history, there has been a link between the promise of America and the promise of Israel. The early settlers to America in fact believed they were founding here a new Jerusalem. The first minister to step foot at Plymouth Rock uttered words from the prophet Jeremiah. Many of our Nation's Founding Fathers were themselves Zionists. The President of the Continental Congress, Elias Boudinot, predicted that the mighty power of God would someday return the Jews to their beloved land. And John Adams wrote:

> I really wish to see the Jews again in Judea as an independent Nation.

When the modern State of Israel declared its independence 60 years ago this month, it was officially and most significantly recognized a mere 11 minutes later by a great American President, Harry S. Truman.

Americans and Israelis alike are the children of freedom. We are both devoted to our democratic ideals, our culture of economic opportunity, and our political pluralism. These are the principles we cherish and the principles that define not just who we are but who we aspire to be. I think it is the main reason, when our two nations look at each other, we so often see the best of ourselves. It is also why succeeding Presidents of both parties since Harry Truman have given such steadfast support to the State of Israel.

I have often said as Presidents come and go, some seem more supportive of Israel, some somewhat less. The current President obviously is one of those who has most steadfastly and significantly supported Israel. But over the long term, the great guarantor of the U.S.-Israel relationship has been the bipartisan, pro-Israel majorities in both Houses of Congress.

Throughout her brief history, Israel has also courageously faced enemies who have threatened her existence. Today we once again see the rise of such threats to Israel, including some that are existential. Those threats come from the same Islamist extremists and terrorists who threaten America today and against whom we are fighting the global war on terrorism. History has taught us that we cannot ignore or appease these dangers, so let's never forget that Israel is a living symbol for the ideals we as Americans treasure—the ideals of freedom and human dignity.

It is sometimes said that nations do not have permanent friends, only permanent interests. But I believe the United States of America has a permanent interest in our permanent friendship with the State of Israel because that friendship is based on eternal values. We pledge today on the day of this

60th anniversary of the modern State of Israel, and we pray with God's help that those eternal values and permanent friendships will sustain these two great democratic nations eternally.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise today to commemorate and to celebrate the 60th anniversary of the founding of the modern State of Israel. I wish to commend my colleagues from Connecticut and New Jersey, Senators MENENDEZ and LIEBERMAN, on their statements this morning.

Since its independence in 1948, Israel's promotion of democratic values has helped forge a thriving society and a bastion of freedom in a region where that value is sadly all too scarce. The vision of a permanent homeland for the Jewish people was centuries in the making and was finally achieved in May of 1948. From its outset, Israel has faced a myriad of challenges which it has navigated successfully against all odds. A small state with few natural resources and residing in a region decidedly unfriendly to its very existence, the odds against Israel have always been high. Yet the nation of Israel has endured.

Today, Israel is known for a vibrant, high-tech economy. It successfully accommodates a significant Arab population inside its borders, allowing Arab representatives to serve in the Knesset. It has achieved broad universal recognition and has forged peace with previous enemies, including Egypt and Jordan. This will to surmount adversity time and time again comes from the tenacious spirit of its people and represents the very reason we are able to celebrate their anniversary today.

I was fortunate enough to visit Israel in November of 2005 and meet with various people who make up the mosaic of that great nation. Today I want to share with my colleagues two indelible experiences.

First, I toured a semiconductor plant, the Vishay plant near Tel Aviv, a plant whose base company is located in Chester County, PA. What made this plant so special outside of its Pennsylvania ties was that it was started by a Holocaust survivor, Dr. Felix Zandman, and his son Mark who led us on the tour.

We not only observed the factory processes and equipment but also, and more importantly, the resiliency, I should say, of this brave family. Dr. Zandman experienced the most horrific fate imaginable to man. Yet out of his experience, he was able to pick up the pieces of his life, begin participating in his community again, and to become a very successful businessman, who now contributes to the global economy. To me, his story reflects the strength and courage embodied in the Jewish people.

The next experience occurred while attending a Saturday dinner in Jerusalem after the end of the Sabbath. I was at the home of Rabbi Daniel Gordis, who is well known in the United States. He went to Israel from the United States. The rabbi had a 19-year-old daughter at that time who was serving in the military. At dinner, Rabbi Gordis told us the story about going very early in the morning to wake up his daughter to take her back to where she was stationed in the army, only to notice that, while she was soundly sleeping in her bed, next to her automatic weapon was her Curious George stuffed animal from her childhood. As the father of four daughters, I will never forget that image—the image of a young Jewish woman, bravely serving her country, but not that far removed from her own childhood. Rabbi Daniel Gordis, like so many parents in Israel, was feeling the emotion, the human emotion of love for his daughter and, at the same time, love for his country. There is no better example of the profound sacrifices of the Jewish people and what they have given to build and preserve the state of Israel. The story of Rabbi Daniel Gordis and his daughter is Israel's story.

I was reminded, when I was there, of a passage from Scripture. We went by a school, and this part of scripture was inscribed on the school, which, in many ways, represented the bright promise and future of Israel. It is taken from the prophet Zechariah, chapter 8, and I will quote it briefly. This is the prophet predicting thousands of years into the future at that time:

> There shall yet old men and old women dwell in the streets of Jerusalem, and every man with his staff in his hand for every age.
>
> And the streets of the city shall be full of boys and girls playing in the streets thereof.

That prophecy of long ago has indeed come to pass for the great state of Israel. So today, and every day, when we celebrate their bold entrepreneurial spirit, a strong sense of community, a commitment to national service and, obviously, a commitment to liberty, all these values, combined with the democratic ideal that permeates their society, all these make Israel what it is today and demonstrates why it is such a strong ally of the United States of America. Our two nations share a deep and unshakable bond, and that alliance, I believe, will endure for the next 60 years, and for all of our tomorrows, as it has for the previous six decades.

As the world community continues to deal with conflicts in the region, the Jewish people must know that the United States will always extend our assistance to our indispensable ally as it moves forward on the road toward peace and stability.

Once again, I extend my warmest congratulations to the state of Israel on its 60th anniversary.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Mr. CARDIN. Mr. President, first, let me thank my colleague Senator CASEY for his comments about the state of Israel. He has captured the special nature of Israel, which one gets when they have an opportunity to visit the country and see the faces of the people of Israel and what they have been able to accomplish in a relatively short period of time, in a very small country.

Today, we in the Senate pause to celebrate Israel's 60th anniversary. To the strongest ally of the United States in the Middle East, we wish Israel continued success.

There is good reason that Israel is our strongest ally in the Middle East. It is a nation that has been built upon democratic principles, a trusted ally in our war against terror. It shares our values in a critically important part of the world to the United States.

President Lyndon Johnson said, ''The U.S. and Israel share many common objectives, chief of which is the building of a better world in which every nation can develop its resources, and develop them in freedom and peace.''

Israel today is a vibrant oasis of democracy in a region of the world replete with secular and religious dictators.

For 60 years, there have been near constant military and terrorist threats, economic boycotts, and diplomatic hostility. Yet it still stands as a thriving, pluralistic democracy, with the rule of law, and an independent judiciary that works to protect freedom of speech, association, religion, a free press, and fair and open elections.

Israel has become not only a regional power but international leader in agriculture, health, science, medicine, high tech, and security. It has used that expertise to reach out and help so many other countries in the world deal with its challenges. Although it is a very small country, eight of its citizens have been acknowledged as Nobel laureates. In homeland security, it has helped the United States in dealing with our war against terror in the post-9/11 era.

Tel Aviv's Ben-Gurion Airport is a model for airport security. Our Nation has benefited by learning how the Israelis protected their airports, and we are using many of those procedures here in the United States to protect our own citizens.

I can tell you how the Israelis have helped Maryland deal with homeland security issues. They have come and looked at one of our urban hospitals to make sure we take every precaution to protect the citizens of Maryland.

Israel is a safe haven for Jews—from the Soviet Union, to Ethiopia, or any country where Jews are threatened. As David Ben-Gurion said 60 years ago, ''The land of Israel was the birth place of the Jewish people. Here their spiritual, religious, and political identity was shaped. Here they first attained statehood, created cultural values of national and universal significance and gave the world the eternal Book of Books.''

Ben-Gurion went on to say that the State of Israel ''will be based on freedom, justice, and peace, as envisioned by the prophets of Israel; it will ensure complete equality of social and political rights to all of its inhabitants, irrespective of religion, race, or sex; it will guarantee freedom of religion, conscience, language, education and culture; it will safeguard the holy places of all religions.''

Since its first days as a modern state, it has sought peace with its Arab neighbors. During the declaration of independence, Israel stated:

> We extend our hand to all neighboring states and their peoples in an offer of peace and good neighborliness and appeal to them to establish bonds of cooperation and mutual help with its sovereign Jewish people settled in its own lands. The state of Israel is prepared to do its share in a common effort for the advancement of the entire Middle East.

It has had success, with the help of the United States, as peace agreements were entered into with Egypt and Jordan. But to those who continue to challenge Israel's sovereignty and security, let me caution them with the words of President John F. Kennedy when he said:

> Israel was not created in order to disappear. Israel will endure and flourish. It is the child of hope and the hope of the brave. It can neither be broken by adversity nor demoralized by success. It carries the shield of democracy and it honors the sword of freedom.

On the 60th anniversary of the state of Israel, we wish it continued success and peace, as the bond between our two countries continues to strengthen.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

Mr. CARPER. Mr. President, 60 years ago, on May 8—or May 14, under our western calendar—Israel declared its independence. On this special day, when Jews and Christians, heads of state, and others around the world celebrate the founding of Israel, I rise for a few minutes to reaffirm our Nation's commitment to Israel's security and the pursuit of a comprehensive, just, and lasting peace in the Middle East.

That is one of the reasons I cosponsored the resolution recognizing Israel's 60th birthday, and reaffirming the close ties between our country and Israel, a nation I have been privileged to visit as a Congressman, as a Governor, as a Senator, and maybe most importantly as a father with a teenage son.

Current events threaten to overshadow the importance, though, of this independence day: Prime Minister Omert is again being investigated. Another round of peace talks appears to have stalled once more. Hamas continues to launch Qassam rockets at Sderot and other towns near Gaza. Suicide bombings continue. Hezbollah has increased military capability, with support from Syria and Iran. The leaders of Iran—the most active state sponsor of terrorism in the world—continue to call for Israel's destruction, while denying that the Holocaust ever occurred.

These are enormous, complex challenges. But after 7 wars in only 60 years, Israel somehow has achieved remarkable—some would say miraculous—success, all the while having to fight for its existence almost every single day.

Today is the day to express our fundamental pride in a number of their successes. For example, Israel's population today is 7.3 million people, more than 9 times the 800,000 who lived there in 1948. Since its founding, over 3 million immigrants have been successfully absorbed.

While Israel is the world capital of Torah learning, it is among the world's leaders in high-tech, medical, and scientific advances. In 1948, there were only two universities; today there are eight. On a per capita basis, Israel's GDP places it in the top tier of all nations. Democratic institutions flourish there. Both Jews and Arabs serve in Israel's Parliament, the Kennesset. Additionally, Israel has an independent, effective judiciary and a free press.

So today I rise to join many of my colleagues in reaffirming the commitment of the United States to Israel's security.

For the people of Israel, to its citizens, our message is simple and clear: We will continue to stand in solidarity with you. We are proud of what you have become.

As I said earlier, I have had the privilege of visiting Israel a number of times—when I served in the House, as a Governor leading a trade delegation, as a Member of the Senate, and perhaps the most special and memorable visit for me was with my teenage son, roughly 3 years ago. We were in Israel on Easter weekend. We actually had the privilege of being on Golgotha, where Christ was believed to have been crucified, and we were there on Easter Sunday. We were privileged to be at the tomb where Christ's body was believed to have been lain, and we placed our hands there on Easter Sunday. What an unforgettable memory. I had the privilege of meeting Prime Minister Shamir, Ehud Barak, Ariel Sharon, Netanyahu, and Shimon Peres, among others. I will never forget being at the home of the U.S. Ambassador to Israel on July 4, roughly 10 years ago—being there and meeting what seemed like half of the leadership of Israel, and any number of prominent Israeli citizens as our guests that day celebrating our independence, our Nation's birthday.

Today, some 10 years later, as we prepare to celebrate Israel's birthday with the Israelis and people all over the world, I want to close with the words of Israeli President Shimon Peres spoken only a few days ago. I know the Presiding Officer has met Shimon Peres before in the number of roles he has played. I have been fortunate to do that as well. I have never met anyone who has a greater gift with the English language than this man.

I want to share these words he said a couple days ago:

> Over the past 60 years, we have something that previous generations of Jews, those who were trampled in the pogroms and who were burned in the crematoria, did not have. The soldiers who fell created a miracle unparalleled in history: the miracle of the state of Israel. . . . For 60 years, they fought in seven wars that were forced upon us, and that we won. They enabled us to establish an exemplary society, to be trailblazers in the world in . . . agriculture, medicine and defense, to be a peace-seeking people, a democratic state, and a state that seeks justice.

To that I would only add, may it be so for a millennium or more.

Ms. KLOBUCHAR. Mr. President, I join my colleagues who have come to the floor today to recognize and salute the 60th anniversary of the founding of the modern state of Israel.

Today is a great milestone for the people of Israel—and for all Americans. Ever since President Truman recognized Israel minutes after its birth on May 14, 1948, the United States and Israel have enjoyed a friendship based on values rooted in democracy and mutual strategic goals.

Israel's survival and success are a remarkable testimony to the vision that inspired its creation six decades ago and to the Israeli people who have made that vision a reality .

On this day of celebration, we must reflect on the course charted by the great leaders over the last six decades that have made this milestone possible. Though the journey has not always been along a straight and smooth path, each step along the way has been paved with the two fundamental and complementary tenets of the Israeli nation: resilience and faith.''

The existence of Israel across these six decades—the way it has grown and flourished—has provided security and opportunity for its citizens. It has strengthened and enhanced Jewish life around the world. And it has been a beacon of democracy that makes the entire world a safer, more hopeful place.

I had the honor of traveling to Israel 2 years ago and seeing first-hand the strength and vitality of the country. I still remember the warm welcome I received from the Israeli people, as well as the courage and pride they bring to everyday life. I was honored to meet with Prime Minister Ariel Sharon just a few weeks before his tragic stroke, and I will value forever the lessons I learned from our conversation.

Today, America's and Israel's interests in the Middle East and around the world have never been more closely aligned. Our common values and objectives continue to drive us to meet the challenges we face, and to pursue opportunities for greater peace and prosperity.

We are in the midst of turbulent times, with. instability threatening to spread across the Middle East. But the people of Israel must know that wherever forces of intolerance gather to endanger their safety or security, the United States will stand beside them in defying and defeating these foes.

By continuing to support Israel, we support stability and democracy and we can make further progress toward peace in the region.

I ask that my colleagues join with me in congratulating and celebrating with the people of Israel on the 60th anniversary of the founding of their nation, and that we renew our commitment to ensuring that we will continue to celebrate each successive anniversary for decades to come.

Mr. NELSON of Florida. Mr. President, Israel's first Prime Minister David Ben-Gurion, on May 14, 1948, proclaimed the establishment of the state of Israel, and 60 years later now, we celebrate this momentous time in Israel's history. I congratulate, along with all of the other Senators, Israel on its 60th anniversary, and the close relationship the United States and Israel have. It serves as an important purpose of promoting peace in the Middle East.

Helping Israel achieve peace with its neighbors while maintaining its security strengthens both of our strategic interests. We must do everything we can to end the bloodshed and bring the parties together. We must resume those positive measures.

We must, as the Good Book says: Come, let us reason together. Most of us out here support two states living side by side in peace and security for both. That was outlined by the President in a speech on June 24, 6 years ago.

To achieve that, the Palestinians need to reform their institutions and cease those continued terrorist activities against all the innocents. Continued engagement by our country is required to help us get to that goal of peace in the Middle East. I look forward to the continued cooperation of Israel and the United States toward that goal. My hearty congratulations to Israel on its 60th anniversary.

Mr. SMITH. Mr. President, I rise today to honor the State of Israel on the 60th anniversary of its independence.

The story of the tribes of Judea began, as we know, in the Old Testament. The Israelites fled from Pharaoh's slavery, wandering for 40 years in the desert before coming to their land. It is a familiar narrative—and not only to those who study Scripture—for those early trials of the Jewish people bespoke an awe-inspiring destiny, both glorious and tragic. No other people on earth have survived and prospered in the face of so much hardship. The Jewish community has been contemporaries of the Assyrians and Babylon, Crusaders and Rome, the Hapsburgs and the Soviet Kremlin. They have faced injustice, persecution, expropriation, pogroms, and genocide; and they have persevered.

The return of the Jews to the Holy Land is perhaps the greatest historical event of our time. The Jewish community emerged from the greatest tragedy the Diaspora had ever known, and in its aftermath built the greatest triumph. The authors of that triumph encompass the whole of the early Israeli community. The great David Ben-Gurion declared Israel a state but he could not have without the thousands of brave Israelis willing to fight for it. Chaim Weizman secured international support for Israel but he could not have without the hundreds of thousands of Jews willing to immigrate to the Holy Land. And of all these heroes, the famous and the anonymous, none have given more than the 22,437 Israeli soldiers who have fallen in battle since 1860. It is no coincidence in Israel that Independence Day is preceded by Remembrance Day, to honor the fallen Zahal warriors. On this 60th anniversary of Israel's independence, I know that wherever they are, those sons and daughters of Judea are proud indeed.

I am also proud that America has stood with Israel in her times of need. It is only fitting that the two great democratic nations forged by immigrants and pioneers be close allies, in the ongoing struggle against the forces of fanaticism. For Israel, this fight is as familiar as existence; for America, it is an old enemy in a new guise. During my time in the Senate, I have worked tirelessly to strengthen the bond between our two countries. I believe the bonds our two countries share are as everlasting as they are many-layered. Together, they will ensure that Israel faces down the next threat, and the one after that, and after that, and so on until her 120th anniversary, when I pray there will at last be peace.

The past three have been littered with many enemies, from Titus to the Nazis, each with their own dream of destroying the Jews. Some came perilously close. But today we know that the destruction of the Second Temple, and the Inquisition, and the pogroms, and the Holocaust were not in fact the end of the story. The legend did not end. In 1948, the new chapter of the tribes of Israel began, always glorious and always tragic, animating the pages of history until the final chapter of Man.

May Israel ever be with us, and us ever by her side.

Mr. WYDEN. It is a great honor to come to the floor in celebration of the 60th anniversary of the establishment of the State of Israel. The creation of an independent Israeli State was truly one of the most significant events of the 20th century. Following the horrific events of the Holocaust, the founding of the State of Israel symbolized a recognition of the right and the need of the Jewish people to have a homeland—a place of sanctuary and security after the senseless annihilation of 6 million Jews. The Holocaust was not the first or the last genocide. It was the culmination of centuries during which Jews were ostracized, persecuted, and purged from country after country. The Jewish people struggled to maintain their heritage, their traditions, and did so in the midst of other cultures, after the fall of Jerusalem and enslavement by many other societies.

For over 2000 years, Jews faced discrimination, including restrictions of their rights, religious practices, and even professional occupation. Yet even as Jews were able to prosper and establish themselves as an integral part of society in Europe, this progress was wiped out by the Nazi regime. Thousands upon thousands of Jewish families, including my own, were uprooted from their homes and forced to flee for their lives for no other reason than the fact that they were Jewish. Not all of our family was able to get out. We lost family at Krystalnacht. We lost family at Theresienstadt. My family came to this country knowing they were coming to the best and freest place on Earth. But not all were able to come here. Many European Jews were not allowed entry into other countries, including the land that is now Israel.

Upon the conclusion of World War II, the United States joined with other countries in the United Nations to recognize the right and need of the Jewish people to have the security of being able to live in their own state. The United States was, in fact, the very first country to recognize the State of Israel on May 14, 1948. After thousands of years, Jews had established in their historic homeland a sovereign country of their own, Israel. Yet Israel is much more than a sanctuary for the Jewish people. Israel's importance transcends the Jewish religion. Israel is a place of enormous historic significance. It is a sacred land not only for Jews but for Christians and Muslims as well. All three of the world's major monotheistic faiths honor Jerusalem and other surrounding sites as holy places that hold unique importance to the development of their religions. Israel has worked to protect the interests and rights not just of Jews but those of all faiths.

The Israeli Government provides access to historic and religiously significant sites and allows clergy, scholars, historian, archeologists, and others to pursue their studies of this very historic, very special land. Israel is also of enormous importance to our country. Israel is America's strongest and most reliable ally in the Middle East. In a region that has been plagued by instability but is of enormous strategic significance, Israel is a stable democracy and a stalwart ally.

As a member of the Select Committee on Intelligence, I follow these issues closely and would say from the Camp David accords to the current peace talks, Israel has consistently demonstrated a willingness to work

along with the United States to engage its neighbors in difficult negotiations. Despite constant attacks and threats to its very existence, Israel has given up land and made very significant conciliatory offers in the interest of achieving lasting peace and stability in the Middle East.

Finally, beyond the religious, historic, cultural, diplomatic, and strategic significance, it is important to recognize the impact Israel has had at the human level for its citizens and for people around the globe. Israel has established a thriving economy, a world-class education system, and has advanced scientific and technological innovation on numerous fronts. The distinguished Senator from Minnesota and I have talked many times about the issue of health care. It is striking to see the Israelis in such an innovative, focused kind of way look to health care improvements that are going to be of great use, not just to the people of Israel but to many around the world. In 60 years, Israel has truly established itself as a global leader and a vital partner in the international community.

It is a great honor to be able to stand today on the Senate floor to recognize the 60th anniversary of the State of Israel. I look forward to continuing the close and indispensable partnership between our country and Israel. Today I wish the people of Israel the greatest success, the greatest happiness, and especially peace for the next 60 years and beyond.

Mr. COLEMAN. Mr. President, a birthday is an occasion that allows a family to focus on one of its members and celebrate what is unique and special about that person. It is time to reflect on major challenges met and major fulfillments achieved. The same is true when we celebrate the birth of a nation, or perhaps more appropriately today, its rebirth.

The modern State of Israel is 60 years old today. But the idea of Israel was born at the dawn of recorded history. Students of the Bible know that Israel was originally a person—the father of 12 children who became the Twelve Tribes. Israel became a nation as the progeny of those patriarchs grew in population of more than 1 million. And Israel has become a revered concept, a union of spiritual ideas that has benefited many cultures far from the Middle East.

That is what our second President, John Adams, meant when he wrote:

> The Hebrews have done more to civilize man than any other nation. If I were an atheist and believed blind eternal fate, I should still believe that fate had ordained the Jews to be the most essential instrument for civilizing the nations.

We in the United States have enjoyed that civilizing influence. Much of what we believe and assert in our founding documents was drawn from ancient Jewish roots. The belief in individuals having ultimate value is because they are made in the likeness and image of God; respect of the rule of law as the foundation of a just society, not just the power of men; and a commitment to the cause of liberation because the rights of the people are an inalienable gift from their Creator.

So this celebration is not just a milestone for the Jewish people but for all humanity. It is a celebration of the perseverance and faith of the Jewish people, those who have resisted oppression for thousands of years. The story of Israel is a passionate history of the capacity of human beings to remain true to ideals, to overcome the longest odds, to realize a dream in the midst of those who wish to deny it.

Over a century ago, Theodore Herzl put into writing his vision for a free Jewish state. His immortal words: ''If you will it, it is no legend,'' personified the deep faith of the Jewish people and their heritage and their role on this planet. Both the United States and Israel were founded on the hope and promise of being ''a light unto nations,'' and this is a principle that defines us and binds us together.

For this reason, I believe the anniversary of the State of Israel encompasses much more than the rebirth of a nation. As a person of Jewish heritage and a public servant, this milestone has special significance for me. It reminds me not just of the added sense of responsibility to work for justice and peace, but of the lesson to never give up in my pursuit of those ideals, no matter the size of the obstacle.

But in Israel's existence, there is also a lesson of what we are called to pursue. The Jewish people have withstood much persecution through the years and endured some of the most horrific crimes against humanity that the world has ever seen. It is our responsibility to remind the world what humanity is capable of if we do not remain vigilant and fight ignorance and injustice wherever it emerges.

Even today, after 60 years of independence and 7 wars fought to preserve it, Israel continues to face grave threats. Iran and its regional proxies—Hamas and Hezbollah—continue not only to reject a peaceful solution to the Arab-Israeli conflict, but also to undermine the very existence of Israel as a democratic and Jewish State.

The Iranian President continues to blatantly deny the Holocaust of the Jewish people while vowing to create another one. Iran's pursuit of a nuclear weapon is very real and must not be allowed to succeed. A nuclear Iran would dramatically alter the fragile balance in that volatile region and would pose an existential threat to the State of Israel.

In 1948, the United States under President Harry Truman made an unconditional commitment to the State of Israel. That commitment was not based on the price of gas, economic policy, or partisan politics. It was a moral covenant made in response to generations of mistreatment of the Jewish people and a desire for them to have a secure homeland founded upon democratic principles. We believed then, as we do now, that democracy is, in Lincoln's words, ''the last best hope of Earth.'' From such a commitment there is no out. To deny our support of Israel would be to deny everything America holds sacred and vital. We not only have to hold to our commitment, but we must use our influence around the world to encourage other nations to move in that direction.

This commitment dictates that we remain vigilant and watchful over these Iranian threats. I expect the United States to lead the way and use its influence over other countries that may undermine these nonproliferation efforts. For this reason I was very disappointed by the administration's insistence in signing a nuclear cooperation agreement with Russia. I have written, along with Senator BAYH, a letter to the President signed by 32 Senators from both parties in which we state that taken together, Russia's opposition to effective U.N. sanctions against Iran's nuclear weapons program, its ongoing assistance to Iran's ballistic missile programs, its exports of fuel to Iran's Bushehr reactor, and its increasingly abrasive foreign policy, all give us cause for concern without finalizing such an agreement.

Submitting a 123 agreement with Russia to Congress at this time could severely undermine our policy with respect to Iran at a critical juncture. Iran's testing of advanced centrifuges could significantly reduce the time it would take to reduce highly enriched uranium for a nuclear weapon. We urged the President not to send the agreement to Congress until Russia has ended support for Iran's ballistic missile program and stopped providing advanced conventional weapons and assistance to Iran's nuclear fuel cycle program. Russia must also cooperate with us to increase meaningful economic pressure on Iran to end its defiance of the United Nations Security Council's mandatory resolutions to suspend its enrichment of uranium.

Improving our commercial ties to Russia may be a national interest. It may be good economically for the United States and for Russia, but preventing Iran from acquiring nuclear weapons is a national interest of greater importance on which we cannot compromise.

When I reflect on Israel at 60, I am excited about Israel's future, despite the ever-present challenges. As David Ben-Gurion said in the early days of the modern Israeli nation, ''Around here, if you don't believe in miracles, you're not a realist.''

The Jewish people truly understand this concept, as there are many miracles that have come together to preserve the Jewish people throughout history, including the one that brought the modern State of Israel into existence. The anniversary of this miracle should be a joyous one, and the fact that Israel has now stood firm for 60 years should be celebrated.

America should thank God for the heritage of freedom Israel has given us. On this day, America should reaffirm its resolve to protect and sustain the place and the people who have given us so much. The gift Israel needs from us on its birthday is our gratitude, to be sure, but also our renewed, unshakable commitment to keeping those ancient dreams and ideals that we share alive.

Mr. DODD. Mr. President, it is an honor to come to the floor today to celebrate Yom HaAtzmaut, Israel's 60th Independence Day.

Today, on its 60th birthday, we recognize that Israel remains an island of openness. Its success belongs to all the Israeli people and is more lasting than anything that ever happened on a battlefield.

With politics that are open and vibrant, markets that are free and fair, and laws that hold for weak and strong alike, for six decades, America has been a good friend to Israel. Indeed, it only took us but 11 minutes to recognize this new state, this new ally, in May 1948.

This is a matter imbued with great personal meaning to me, Mr. President. As my colleagues are aware, my father, Tom Dodd, spent over a year as executive trial counsel in one of the most remarkable court cases the world has ever seen—the Nuremberg Trials of Nazi war criminals. He stood face-to-face with men who committed the most terrible atrocities imaginable. Indeed, they were so horrible many were convinced they had could not have taken place—that is, until my father set out meticulously proving that they had.

It would have been impossible to be unchanged through that confrontation with evil, and my father was no different. I know how often he spoke of it to me. And I think it was impossible for anyone to go through the Nuremberg Trials without wondering, at some point or another:

What if those 6 million had someplace to go; what if there had been a country to take them in—no questions asked; what if there had been a nation willing to stand up for them when no one else did?

Only 2 years after my father came back from Nuremberg, 60 years ago today, that nation was born. So in a small way, I share some of my past with Israel, because my father had his part in the events that proved—at the price of tremendous pain—the necessity of a Jewish state. My father learned that necessity, and I learned it through him. In the years since, nothing has dampened the force of that lesson. How could I forget?

For nearly 60 years America and Israel have been two nations that can look across the gulf of history and space and language, and still see, in each other, themselves. That enduring bond is what we celebrate today, Mr. President.

Mr. DURBIN. Mr. President, I am pleased today to speak on the 60th anniversary of the founding of the State of Israel, and to congratulate the Israeli people on this historic occasion.

It is also an appropriate occasion to note the close and unwavering friendship our two countries have enjoyed over the past 60 years.

President Harry Truman formally recognized Israel just 11 minutes after the new country's independence proclamation. Eleven minutes. That is perhaps the fastest that anything has ever occurred in this city.

Fast doesn't necessarily mean easy, though, and President Truman was under a great deal of pressure, including from his own State Department, not to support the creation of a Jewish state.

But Harry Truman did the right and courageous thing, and for the past 60 years, Israel has been one of America's closest friends and allies

That friendship has persevered, in part because of our dedication to many common values.

Israel has a strong and vibrant democratic tradition, and a prosperous and innovative free-market economy.

In fact, Israel's economy grew faster last year than that of the United States, Europe, the U.K. or Japan. Such growth stems in part from more than 3,000 hi-tech companies now operating in Israel.

And, I believe, Israel is committed to achieving peace with its neighbors. But peace requires security, and the United States still has a very important role to play to make both of these a reality.

The late Congressman Tom Lantos—whom we lost at the beginning of this year—understood this perhaps better than anyone.

As the only Holocaust survivor ever elected to the Congress, Tom knew what Israel's existence meant for Jews the world over, and no one advocated more strongly than he did for continued U.S. support for Israel.

The fact that the Israeli foreign minister, Tzipi Livni, spoke at his memorial service here in the Capitol speaks not only to Tom Lantos's personal commitment to Israel, but also to the broader commitment of Israel and the United States to each other as nations and as people.

It is a commitment that we must not abandon.

The United States must remain engaged diplomatically to ensure that the process begun last fall in Annapolis, the most recent in a string of U.S.-led Middle East peace initiatives stretching back over 30 years, continues to move forward.

We must work with other countries and the United Nations to prevent Iran from gaining the ability to develop nuclear weapons that could threaten Israel's security.

We must provide appropriate assistance to the Palestinian Authority to enable it to secure its own territory and strengthen its democratic institutions.

And we must find a way to stop weapons from making their way into the Gaza Strip and the hands of those who seek to do Israel harm.

Such continued U.S. engagement is imperative if there is any hope for long-term peace between Israel and its neighbors.

But hope is the foundation on which Israel was built.

It is what enabled people of so many backgrounds and languages to speak with a common voice.

It is what enabled them to bring water to a desert and grow crops where there had only been sand.

It is what continues to lead the Israeli people forward, 60 years after its founding.

I share that hope for a brighter future—for Israel, for the United States, and for our enduring friendship.

Congratulations to Israel on its 60th birthday.

Mr. FEINGOLD. Mr. President, I am pleased to mark the 60th anniversary of the founding of the modern State of Israel. On this momentous occasion, we celebrate a vibrant nation that has thrived since its founding in 1948 under the most difficult circumstances. Founded in the aftermath of the Holocaust as a home for Jews around the world, Israel continues to be a beacon and a rare outpost of freedom and democracy in a region that knows too little of either. As we take the time to acknowledge the importance of this anniversary, we should also remember those who lost their lives in the fighting that coincided with the birth of this nation. Few, if any, nations have had such difficult births and have overcome such tremendous challenges.

As we celebrate the anniversary of one of our strongest allies, the struggle for peace and stability throughout the Middle East continues. Peacemaking in this region is no easy task, but we need to nurture the progress developed during the Annapolis Summit and keep working toward a two-state solution that resolves the decades of turmoil Israel and its neighbors have endured. I am hopeful that through a continuing dialogue and diligent efforts, we will see a breakthrough that improves trust and cooperation between all actors and provides a framework for a lasting peace.

The United States and Israel have a unique relationship that both Americans and Israelis cherish. Today, we should celebrate that relationship, which is as strong and deep as ever.

Mr. MARTINEZ. Mr. President, I join my colleagues in recognizing Israel's Independence Day—the day Jewish people around the world rejoiced after generations of political and religious persecution. Exactly 11 minutes after Israel's first Prime Minister, David-Ben Gurion, announced the nation's independence, the United States became the first nation in the world to recognize it.

Since that time, Israel and the United States have forged a friendship based on shared ideals and common values—a commitment to political and

religious freedom, the rule of law, democratic governance, and the preservation of individual rights. During my first official trip abroad as Senator, I traveled to Israel and saw firsthand the sacrifices Israeli people make to protect these principles. This visit helped me better understand the urgent need for sustainable peace in the Middle East and Israel's vulnerability within the region.

The United States shares Israel's desire to protect their thriving democracy, and we honor our commitment by supporting security efforts in Israel. Since 1948, Israel has been a reliable and steadfast ally to the United States, and our support helps to ensure the security of its territory and citizens. A strong and healthy relationship with Israel is critical to the endurance of democracy in the greater Middle East and the United States will continue to stand with Israel to ensure its survival, peace and prosperity.

I extend my greetings to all those taking part in celebrations to mark this historic week for Israel. In my home State of Florida, the home to thousands of individuals of Jewish descent, today is especially important. It marks the day a permanent home was established for a people who suffered tremendously for generations because of their ethnicity and religious beliefs.

So during this momentous time, I offer the people of Israel and its many friends around the world my best wishes and the hope for continued prosperity.

Mr. LEVIN. Mr. President, the 2000 year search for a Jewish homeland concluded on May 14, 1948, with the declaration of an independent State of Israel. But, the birth of Israel on that day was far from easy. Prime Minister David Ben-Gurion made his first radio broadcast the following day from an air raid shelter as the precarious new nation came under attack.

Even as a war was being launched against their young nation, Israel's founding father took the time to remind the first citizens of Israel what had been accomplished and what it would take to defend their dream. Ben-Gurion said, ''whatever we have achieved is the result of the efforts of earlier generations no less than our own. It is also the result of an unwavering fidelity to our precious heritage, the heritage of a small nation that has suffered much, but at the same time has won for itself a special place in the history of mankind because of its spirit, faith, and vision.''

The United States has played a critical role in the development of Israel over the past 60 years. President Harry S. Truman, the first head of state to grant Israel diplomatic recognition, expressed its special place in the hearts of Americans as he declared, ''I had faith in Israel before it was established, and I have faith in it now. I believe it has a glorious future before it—not just another sovereign nation, but as an embodiment of the great ideals of our civilization.'' This special partnership which began with Israel's creation has been repeatedly tested since 1948. The United States has been steadfast in our commitment to helping the people of Israel develop their own economy and secure their own peace. We have helped give them the time that their founding fathers knew was needed to secure their future.

A decade ago, in celebration of Israel's 50th anniversary, I traveled there for an international conference of Jewish legislators from around the world. In our discussions, I saw then that the philosophy that was embraced by Ben-Gurion and other visionary leaders helped Israel become a dynamic democracy with a thriving economy. In the decade since that conference, Israel has come within a few breaths of a peace agreement and also experienced episode after episode of violence carried out against its civilians. Still, Israel's faith and fortitude remain as strong today as they were when the dream was realized six decades ago.

In recognition of Israel's remarkable history, I was pleased to be a cosponsor of S. Res. 522, which the Senate unanimously passed late last month. The resolution acknowledges the 60th anniversary of the founding of the State of Israel and reaffirms the bonds of friendship and cooperation between the United States and Israel. This is a fitting tribute to Israel's past, and we all hope that our nations' mutual goodwill augurs well for future positive and peaceful developments in Israel, in the Middle East and around the world.

Mr. BOND. Mr. President, I rise today joining my colleagues in congratulating our friends in Israel as they celebrate the 60th anniversary of their independence and modern-day founding.

Sixty years ago, Missouri's own President Harry S. Truman signed the telegram making the United States the first Nation on the Earth to recognize officially the State of Israel. Since that time, Israel and the United States have stood side by side on many issues and have shared common bonds and values that unite us still today.

I daresay that no country has faced such adversity and strife during such a short period of time. Our staunchest ally in the region has persevered against enemy invasions, random terror attacks, and saber rattling throughout its short existence and has grown stronger as a result.

As a Member of this body, I have been proud to support joint U.S. and Israeli programs aimed at strengthening our mutual defense and cooperation. We are engaged in a war against a common enemy that seeks to further its agenda through suicide bombings, the targeting of innocents, and the destruction of the civilized world. The United States and Israel recognize that without freedom, respect for human rights, and liberty, we are lost.

Today, I congratulate and offer my sincere thanks to the people of Israel for being our ally during trying times and a friend upon whom we can always count.

Mr. President, I yield the floor, and 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.

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

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

Mr. DODD. Mr. President, may I inquire what is the business before the Senate?

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FLOOD INSURANCE REFORM AND MODERNIZATION ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2284, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2284) to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

Pending:

Dodd/Shelby amendment No. 4707, in the nature of a substitute.

McConnell amendment No. 4720 (to the text of the bill proposed to be stricken by amendment No. 4707), of a perfecting nature.

Allard amendment No. 4721 (to amendment No. 4720), of a perfecting nature.

Landrieu/Nelson (FL) modified amendment No. 4706 (to amendment No. 4707), to improve the Office of the Flood Insurance Advocate.

Nelson (FL) amendment No. 4709 (to amendment No. 4707), to establish a National Catastrophe Risks Consortium and a National Homeowners' Insurance Stabilization Program.

DeMint amendment No. 4711 (to amendment No. 4707), to require the Director to conduct a study on the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 to include widely used and nationally recognized building codes as part of the flood plain management criteria developed under such section.

DeMint modified amendment No. 4710 (to amendment No. 4707), to end the premium subsidy for any property purchased after the date of enactment of this act.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. DODD. Mr. President, I wish to inform my colleagues we are open for business. I know there are amendments that Members have they would like to be considered. I am more than happy, with my colleague, the ranking member, Senator SHELBY, to try to consider those amendments and deal with them expeditiously.

Last evening, we entered a unanimous consent agreement which requires that all amendments be offered,

debated, and voted on by the close of business today. The close of business today can occur any time between now and midnight. I suspect most Members, knowing there may not be any votes tomorrow—I forget exactly what the leader said about that. I think there is a possibility of no votes tomorrow depending on the schedule and agenda. If that is the case, if we deal with these amendments between now and the early part of the afternoon, we can complete the business of this bill until next week when we will have votes on energy issues before final passage of the flood insurance bill.

Again, I am willing and anxious to consider the amendments. I know several people have amendments. They offered some of them last evening and debated them to some degree. So we are prepared to enter into a little more debate and get to some votes. My idea is, to satisfy the convenience of Members, to try to consider three or four of these amendments and then hold a period of 45 minutes or so to vote on three or four items at a time rather than bring Members over every half hour for a 15-minute vote. We will try to deal with several amendments and then have a period of voting before considering the second tranche of issues.

I know Senator SHELBY is in the vicinity. We are here to entertain these proposals.

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

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

Mr. COBURN. What is the pending business of the Senate?

The PRESIDING OFFICER. Amendment No. 4710 to S. 2284.

AMENDMENT NO. 4716 TO AMENDMENT NO. 4707

Mr. COBURN. I ask unanimous consent that amendment be set aside and amendment 4716 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 4716 to amendment No. 4707.

Mr. COBURN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require persons located in flood prone areas to hold flood insurance as a condition for receiving federal disaster assistance)

At the appropriate place, insert the following:

SEC. _____. DISASTER ASSISTANCE.

No person shall be eligible to receive disaster assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or the Small Business Act (15 U.S.C. 631 et seq.) relating to damage to a property located in a 100-year floodplain caused by flooding, unless prior to such flooding that person purchased and maintained flood insurance for that property under the national flood insurance program established under chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

Mr. COBURN. First of all, let me compliment the chairman and ranking member on this bill. They have made some tremendous strides in trying to fix this program. The one thing we have not done is we have not asked people in this country, who are in flood-prone areas, to actually be responsible. We are going to get about $17 billion and charge it to our grandkids because we have to get rid of some debt because the insurance program had not done in the past what we intended it to do. I believe you have fairly well fixed that for the future—my hope is that you have. I am not convinced of that yet.

What this amendment does is requires FEMA and the Small Business Administration to withhold any Federal flood disaster payments and assistance to people who have not purchased flood insurance. These are people who reside in a 100-year flood plain zone, meaning that catastrophic flooding is expected to occur once every 100 years. These are known as special flood hazard areas.

Owners of properties in these flood-prone areas are already required by law to have flood insurance. Yet what we have seen is, time and time again, they do not have it. So, in effect, even though there is a requirement for flood insurance to be there, they do not have it, so the cost, in terms of disasters, goes up for the Federal Government.

The whole purpose behind this bill in the first place, when it was first initiated, was to lessen the cost of the American taxpayer in terms of disasters so owners of properties in these flood-prone areas are required by law to purchase flood insurance if they have a federally backed loan. This amendment would simply ensure that the law is enforced.

I know this is a hard amendment because what we think about is what about those bad actors, what about those who do not—what we are doing to them. But actually we ought to think in the positive, that if, in fact, you are supposed to have flood insurance and you do not, how do we ever force everybody to do that unless there is a consequence? The consequence ought to be, if you did not follow the rules of purchasing flood insurance when you lived in a 100-year flood plain zone, a high-risk area, then you are asking the rest of the taxpayers not only to rebuild your home but to also give you the benefit of not paying a premium on flood insurance. Those people in those areas are actually taking advantage of the rest of the American taxpayers if, in fact, they do not follow the law.

So this is simply saying: OK, here is the law. You have a federally backed mortgage. Your mortgagor is supposed to require that—as a matter of fact, it was fixed in 1994, I believe, that if you do not, they would. What we have seen in the last disasters is the owner did not, and the mortgage backer did not. Consequently, we had a large number of people who had no flood insurance.

Now, all this amendment says is, OK, we are putting you on notice right now, if you have a federally backed mortgage and you are in a flood plain zone and you do not have flood insurance, you do not get the disaster relief. You do not get the grant. You do not get what everybody who follows the rules gets.

The problem with not accepting this amendment is we will undermine the rest of the flood insurance program, the very good work that the chairman and ranking member did on this bill, because if there is no consequence to not following the law, not buying insurance, why will anybody buy the insurance? In other words, if we are still going to pony up the money, what is the incentive to get them to do that? I know the chairman and the ranking member are concerned about that.

Some statistics are real important. On the repetitive loss properties, what we know is that 1 percent of the properties in this country over the last 15 years account for about 34 percent of all of the expenditures. In other words, they have been damaged time and time again. And the chairman and the ranking member have done a good job in terms of addressing how we fix that in the outyears. But when one-third of the money goes for 1 percent of the homes, something is very wrong.

All this amendment is designed to do is to bring them forward so we lessen this amount. More than 50,000 of these repetitive loss properties have flood coverage right now but 61,000 do not; 61,000 of the repetitive loss properties have no flood insurance right now.

So how do we make them do it? Where is the teeth to make them do it, other than to know that next time, unless they have flood insurance, they are not going to get the benefit the rest of the American taxpayers get in terms of helping them out of a jam. Ultimately, what this does is it incentivizes us to have people take risks that would not otherwise take risks because they know we have their back. All this amendment says is, be an adult; participate in carrying some of the risk.

So when over 50 percent of the repetitive loss properties have no flood insurance, I would like to know how we are going to get them to get it under this bill if there is no teeth to make them do it.

Now, I have every intention, as I have spoken to the chairman and the ranking member, of withdrawing this amendment. But my hope would be that in conference you would address this incentive issue because I believe right now there is a large incentive not

to insure their property because we have their back and there is no hard penalty to do that.

If in fact I have a home and it is one of the repetitive loss properties and I do not buy flood insurance, we have a hurricane or a storm and it is damaged and I know I can still get it fixed, why am I going to buy the flood insurance? Especially, let's say, I do not have a loan on it. Let's say I am down there. I am in a very high risk area. I do not have any loan on it and, to me, I know if I get a flood, no problem; the Government is going to back me up.

So what we are doing is sending a signal to the people basically who have no mortgage: The rest of the American people are going to insure you for your flood. And I do not think that is right.

I will ask unanimous consent to withdraw the amendment. I think the amendment would markedly strengthen what this bill is trying to accomplish. My hope would be that in conference, if you do not like my language, you at least put something into the bill that will have some teeth that forces good behavior and forces those who own the properties to actually have some responsibility for the properties. I am not against us helping to create an insurance market. I am not sure this is the best way to do it. But we have certainly made big strides to improve the bill.

AMENDMENT NO. 4716 WITHDRAWN

I ask unanimous consent to withdraw the amendment.

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

The amendment (No. 4716) was withdrawn.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, I want to respond to the Senator from Oklahoma and commend him for his efforts in this area.

What Senator DODD and I and other Members, including the Presiding Officer at the moment, who is involved in banking issues and insurance, and so forth, know is that this flood insurance program is bankrupt, as does the Senator from Oklahoma. It is not working. And what we are trying to do is move it toward an actuarially sound basis.

The Senator's suggestion is something I think we ought to consider as we move along down the road because we want to make sure nobody beats the system. In other words, the more people who are involved in the flood insurance program, proper mapping is going to mean lower premiums to everybody. And the problem, in the long run, as we have catastrophes, tornados, hurricanes, earthquakes—well, in this case floods and water—that the insurance would take care of it rather than thinking, as the Senator from Oklahoma says: Well, I do not have to insure you; the Government, the taxpayer, the people will take care of me in the end.

I think that is what we are trying to prevent. I think the Senator from Oklahoma has a very good point.

I yield the floor.

Mr. COBURN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DODD. 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. DODD. Mr. President, in response to Senator COBURN's earlier comments, I thank him for his courtesy in withdrawing the amendment. He is raising a very legitimate issue about how we get greater compliance, as Senator SHELBY pointed out, and achieve greater actuarial soundness in a program that is in desperate need of that.

The bill does something else. In fact, we voted on it last evening. I believe Senator LANDRIEU and Senator DORGAN offered an amendment that would have stripped out the mandatory requirements of people being required to pay premiums if they live in these high-risk areas. That amendment was defeated pretty soundly here. It is less than a dollar a day, about $316, I think, to a maximum of $350 a year under our bill for about 350,000 dollars' worth of coverage: $250,000 for the property, $100,000 for contents.

The House bill actually goes out a bit higher. Senator VITTER wanted to raise that number. Senator SHELBY and I opposed that amendment. I am not unsympathetic to Senator VITTER's suggestion in certain high-cost areas that $250,000 ought to be a bit higher.

But the point Senator COBURN is making is that we want to get people here to contribute. We have 25 percent of the claims that are coming from these risky areas where only 1 percent of policies are actually being paid. So one out of every four dollars that is going out for coverage under the flood insurance program is in these areas, and yet less than 1 percent of the premiums are being paid out of those areas.

So, clearly, if you are going to be actuarially sound, you get that many claims out of that area, you have to get more compliance. How do you do that? Our bill does not go as far as Senator COBURN's does, but in our bill we require, as we do under a lot of similar areas, that the banks be required to collect these premiums, in fact, even hold them in escrow so we have a better assurance that we are going to get a lot more compliance with that approach.

But I am certainly sympathetic to the goals of ensuring that we get as much compliance as possible, and how you do that is a legitimate debate. I appreciate his raising the issue.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank Senator DODD. I think when you fixed this in 1994 or 1997 is when you required the banks on the mortgage to have a notice and pay it and then add to it. But it obviously was not enough teeth to get us up to where we need to be. So I think we need something stronger than that.

Overall—and this is no reflection on the good work that has been done on this bill but we have to ask ourselves—we are talking about $30 billion with this bill. That is going to actually go against the Treasury. We are going to have $17 billion that we are going to kiss off. We are going to say the people who are living in these flood-prone areas, because their insurance did not truly reflect—we did not have it spread broadly enough, $17 billion of it we cannot pay back, so we are going to forgive that.

Well, what does forgiving that mean? What that means is we are going to take the money from the Treasury, we are not going to charge it to the National Flood Insurance Program, but someone is going to have to pay that off. And who is going to pay that off? It is going to be our kids. And there is almost $9 billion in interest that is going to be not paid off, so we are going to charge that to our kids. Then there is another $3 billion still, I understand, to come from the Katrina-Rita-related storms in terms of payments that are also going out.

So what we are going to have is $30 billion, because the program was not actuarially sound in the past, that now we are saying to our kids and grandkids we are going to make actuarially sound, and they are going to pay.

So what we are doing with this bill—and, again, it is not an indictment. You made a lot of headway, but there has to be another way to fix this rather than charge it to our kids. So when you take this $30 billion, on top of the 10 we have now and the $74 trillion that is coming, we have a significant debt in terms of being fair to the next generation. This bill underlies and forgives all the debt to the Treasury, and it translates into roughly $30.2 billion. That is how poorly the program worked in the past.

Again, I think we have made major improvements to the bill. But I believe it is important enough for us to vote on whether we want to send another $30 billion toward our kids rather than make people who have homes in flood-prone areas who are getting the benefit from it pay for a portion of the cost.

Mr. President, I make a point of order that the substitute amendment violates section 201 of S. Con. Res 21 of the 110th Congress and ask for the yeas and nays associated with that, according to however the chairman would like to schedule votes.

I know he will make a motion to waive the point of order. That is expected. But I would like to have a vote on that, if I could.

Mr. DODD. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive the applicable sections of that act for the consideration of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. DODD. I ask unanimous consent that the vote on the motion to waive the Budget Act with respect to the Coburn budget point of order occur at 12 noon today, with 2 minutes of debate prior to the vote equally divided and controlled by myself and Senator COBURN or our designees.

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

Mr. COBURN. I would like to make one more point. Politics is politics, but in the realm of politics the long term is what is getting ready to happen in this country because we are on an unsustainable course. I believe we have to be guardians for the future. And I believe in waiving the pay-go rules we are not doing that; that we are not a guardian for the future.

If you think about $30 billion, you are asking every person in this country this year to pay an extra $100 because this program was not funded and arranged properly.

What we also ought to consider is making sure we never do this again. And I would hope that when and if this budget point of order is waived the chairman and ranking member will put something in the bill that prohibits us from going back and ever waiving debt for this program again.

He wants it actuarially sound, I know that. I know the ranking member wants it actuarially sound. But it is truly unfair, when we spend $28,500 per household at the Federal Government level and the median income in this country is $42,000 and we are already spending 70 percent of that at the Federal Government level and a third of it we are not paying for, we are borrowing from our children, to add on another $30 billion. What we are talking about is opportunity. We don't want to be tough enough now to not take opportunity away from our kids. So the choice is, can we have what we want now and it not hurt our children. The fact is, we can't. We are hurting our kids when we borrow, when we forgive this money. What we should be charging this money to is to the people who have benefited from the coverage. That is who ought to be paying for it. That is who got the flood insurance at a falsely low rate. My hope is that we think long term, not short term. I know you have done that to a great extent in the bill. But my hope is that somehow when you are in conference, that you might put some type of prohibition of ever waiving the debt again, to force the program to always be actuarially sound. If we could do that, we would not ever get to this point again. I know the chairman doesn't want us to get to where we are waiving this debt again, which will force the flood insurance program to be on the same footing as every other insurance company.

I thank the chairman and ranking member for taking two of my amendments, one a study on reinsurance. The reinsurance we have right now is the American taxpayer. That is who is going to do the reinsurance this time of $30 billion. I am appreciative that they considered this and accepted it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank the Senator. Let me underscore the point that, some 23 years ago, I was a new Member of this institution sitting in that last chair over in the corner, and I offered a pay-as-you-go budget. I think I got 24 votes in 1983 or 1984. I have strong feelings about whether we will be accountable and whether we pay for what we want to do. My colleague from Oklahoma certainly raises a point I have raised for as long as I have been here and tried legislatively to insist upon some accountability in how we do things. With this program, obviously the problem we are in is by attaching these additional costs onto the premium cost today, we make it prohibitive for a lot of people. So we were faced with a choice which was not one I would have preferred. But we have ourselves in a position in this country today where we are spending almost that amount of money every month on the conflict in Iraq, and we are not paying for it, something Harry Truman would not have tolerated. In the war in Korea, he said we would go to Korea provided the American taxpayer was willing to pay for it.

Every 8 weeks we are accumulating a debt and passing it on to my 3-year-old. The Senator knows I have young children. Every 8 weeks we are asking my daughter to assume the financial responsibility of this conflict. In addition to this program, we are trying to make a difference in people's lives, where they may lose their homes and their life's possessions. That is certainly one I would like to see us account for, but we are facing a situation today where I have to try and move this along. But I would hope that on a whole host of these issues, where we are talking about deficit financing or financing things without paying for them, that we would apply the same standards so we have this kind of uniformity to our concerns. And certainly, the $2 billion every week, the $12 billion every month, the $24 to $30 billion every 2 months is another example of what happens when we ask the American taxpayer in the future to assume a responsibility. It is a legitimate point the Senator raises. I identify with it. In my tenure, I have tried to do something about it. Hopefully, we have done that, Senator SHELBY and I.

I appreciate his kind comments about our effort in this bill to put this program on the kind of footing that never causes us to come back here again under similar circumstances and make a similar request for excusing a responsibility that FEMA had to borrow from the Federal Government to meet that $17 billion worth of obligations after the storms of 2005, which devastated a good part of the country.

At the appropriate time, we will have a vote on the Senator's motion. In the meantime, we have some other amendments that I think are coming. I know Senator NELSON and Senator DEMINT and others have some amendments. I am happy to consider those as soon as they come over.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I want the record to show I voted against the last supplemental because it was not paid for. No. 2, it had $27 billion of extraneous spending that was not paid for either that was offered by the Appropriations Committee. It has to start somewhere. I am OK with it starting with me. I don't earmark anything back to Oklahoma. I look at every appropriations bill and see if it is wise. So consequently, I vote for few appropriations bills because they are not wise, with the waste that is in the Federal Government.

One final point. According to GAO, IGs, and the Congressional Research Service, we have $300 billion of waste a year in the Federal Government. The Congress didn't do anything about it. We have plenty of ways to pay for the war, pay for this, and do other things, if we do the hard work of oversight and make the hard choices about prioritizing what is important. But we find that very difficult to do as a body. I am worried that we find that because we are not thinking long term. We are thinking short term.

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. DODD. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DODD. Mr. President, I made this point about an hour ago. We all are familiar with what happens toward the end of the week here. I know Members are asking me what time we will be adjourning. That is a leadership decision, obviously. But we are required now, under the unanimous consent agreement of last evening, that all amendments will be considered by the close of business today. As I pointed out earlier, that close of business could occur at any point between now and midnight. But I suspect most Members are making plans to probably head back to their respective States for Mother's Day weekend sometime late this afternoon or early evening. If you have amendments on this bill, I urge you to come to the floor and offer them. Coming over at 3 o'clock, there is no guarantee that you are going to have the opportunity to make the case on behalf of the proposal, to the extent you would like.

I urge Members on both sides to come to the floor. I appreciate the fact that last evening several did make their case, and we are scheduling votes for early this afternoon on those matters. In the meantime, I would like to line up other votes on these matters so we could conclude work on this bill at a reasonable hour this afternoon that would allow Members to meet their travel obligations. In the absence of that, we may be here until very late this evening, which I know will throw a monkey wrench into people's plans. We are here. We have been here. We will be here. But we have been in a quorum call waiting for Members to come over with their ideas. Coming around 4 or 5 this afternoon and wondering whether we are going to leave 15 minutes later is not going to happen. I urge Members now to be here and make their case or let us know that you don't intend to offer the amendment, in which case we can clear the decks and get to the few votes we have remaining and move on. One way or the other, we are happy to accept.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

AMENDMENT NO. 4709 WITHDRAWN

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to withdraw amendment No. 4709.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. NELSON of Florida. Thank you, Mr. President.

AMENDMENT NO. 4707

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on the motion to waive.

Who seeks time?

Mr. DODD. Mr. President, I should begin.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, let me first of all say on this motion by our colleague from Oklahoma that Senator SHELBY and I, and I believe most of us here, don't have a philosophical disagreement. I think we all appreciate the fact that we have ourselves in a situation where we have massive deficits that are growing by the hour. We have seen it in a number of areas. This is one in which we are actually forgiving a debt. Obviously, to do so, it is going to require at some point for us to pay for this debt and obligation. Senator COBURN says we ought to be doing that under the pay-go rules. As someone who has over the years authored, in fact, legislation requiring pay-as-you-go proposals, I am very sympathetic to this idea. I would like to see us apply it more uniformly in many ways.

Senator SHELBY and I are doing our best to take this program, which is absolutely critical, and to put it on a sound actuarial footing and, by doing so, move us forward. We can't do that if we don't have an excuse, if you will, on this debt that is out there today. We have raised the cost of premiums to a prohibitive level.

So I am moving to waive this point of order the Senator from Oklahoma is making, with the full understanding that it is a legitimate point he is making. But if we are going to succeed with this program and get it done, we can't do otherwise. We will be stuck with a program that will be far too costly.

With that, I urge my colleagues to support us on the motion to waive.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, this is a great choice. We can prove to the American people we either really care about the budget or not. This violates pay-go rules. We shouldn't send $30 billion to our grandkids. We ought to take it from some of the excess we have today.

I agree Senator DODD and Senator SHELBY have done a good job on this, but I don't think our grandchildren ought to pay because we designed a program in 1977 and modified it in 1994 and it still doesn't work and then have them pay $40 billion. We ought to enforce the pay-go rules, and we ought to come up with another way to pay for this money.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the point of order under section 201 of S. Con. Res. 21 against the Dodd substitute amendment.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yea and nays resulted—yeas 70, nays 26, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—70

Akaka	Collins	Leahy
Alexander	Corker	Levin
Allard	Cornyn	Lieberman
Baucus	Dodd	Lugar
Bayh	Dole	Martinez
Bennett	Durbin	McCaskill
Biden	Feinstein	Menendez
Bingaman	Hagel	Mikulski
Bond	Harkin	Murkowski
Boxer	Hatch	Murray
Brown	Hutchison	Nelson (FL)
Bunning	Inouye	Nelson (NE)
Byrd	Johnson	Reed
Cantwell	Kennedy	Reid
Cardin	Kerry	Roberts
Carper	Klobuchar	Rockefeller
Casey	Kohl	Salazar
Cochran	Landrieu	Sanders
Coleman	Lautenberg	Schumer
Sessions	Stabenow	Whitehouse
Shelby	Stevens	Wicker
Smith	Tester	Wyden
Snowe	Vitter	
Specter	Webb	

NAYS—26

Barrasso	Domenici	Isakson
Brownback	Dorgan	Kyl
Burr	Ensign	Lincoln
Chambliss	Enzi	McConnell
Coburn	Feingold	Pryor
Conrad	Graham	Sununu
Craig	Grassley	Thune
Crapo	Gregg	Voinovich
DeMint	Inhofe	

NOT VOTING—4

Clinton	Obama
McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 70 and the nays are 26. Three-fifths of the Senate duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. DODD. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

AMENDMENT NO. 4734

Mr. ENSIGN. Mr. President, I send an amendment to the desk and ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. ENSIGN], for himself and Mr. REID, proposes an amendment numbered 4734 to amendment No. 4707.

Mr. ENSIGN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide compensation to the citizens of Fernley, Nevada damaged by the failure of the Truckee Canal)

At the appropriate place, insert the following:

SEC. ____. FERNLEY FLOOD COMPENSATION.

(a) DEFINITIONS.—In this section:

(1) COVERED PERSON.—The term ''covered person'' means a United States citizen, an alien lawfully admitted for permanent residence, the City of Fernley, Lyon County, a person that is not an individual, or a school district.

(2) FERNLEY FLOOD.—The term ''Fernley flood'' means the breach of the Truckee Irrigation Canal on January 5, 2008, and subsequent flooding of the City of Fernley, Nevada.

(3) INJURED PARTY.—The term ''injured party'' means a covered person that suffered damages resulting from the Fernley flood.

(b) COMPENSATION AND SOURCE OF FUNDS.—

(1) COMPENSATION.—Each injured party shall be eligible to receive from the United States compensation for damages suffered as a result of the Fernley flood.

(2) SOURCE OF FUNDS.—The Director shall compensate each injured party for damages resulting from the Fernley flood from the permanent judgment appropriation under section 1304 of title 31, United States Code.

(c) INSURANCE AND OTHER BENEFITS.—The Director shall reduce the amount to be paid

to an injured party relating to the Fernley flood by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature relating to the Fernley flood that were paid, or will be paid, to that injured party.

(d) ACCEPTANCE OF AWARD.—The acceptance by a injured party of any payment under this section shall (excluding claims relating to life insurance benefits)—

(1) be final and conclusive as to any claim of that injured party relating to damages suffered because of the Fernley flood; and

(2) constitute a complete and full release of all claims of that injured party relating to the Fernley flood against the United States, the State of Nevada, Lyon County, Nevada, the City of Fernley, Nevada, and the Truckee-Carson Irrigation District.

(e) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Director shall promulgate and publish in the Federal Register interim final regulations to carry out this section.

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

The PRESIDING OFFICER. The Senator from Illinois is recognized.

AMENDMENT NO. 4715, AS MODIFIED

Mr. DURBIN. Mr. President, I ask unanimous consent to set aside the pending amendment and I call up amendment No. 4715, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 4715, as modified, to amendment 4707.

Mr. DURBIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 11, line 11 after the first period, insert the following:

''(h) USE OF MAPS TO ESTABLISH RATES FOR CERTAIN COUNTIES.—

''(1) IN GENERAL.—Until such time as the updating of flood insurance rate maps under section 19 of the Flood Modernization Act of 2007 is completed (as determined by the district engineer) for all areas located in the St. Louis District of the Mississippi Valley Division of the Corps of Engineers, the Director shall not—

''(A) adjust the chargeable premium rate for flood insurance under this title for any type or class of property located in an area in that District; and

''(B) require the purchase of flood insurance for any type or class of property located in an area in that District not subject to such purchase requirement prior to the updating of such national flood insurance program rate map.

''(2) RULE OF CONSTRUCTION.—For purposes of this subsection, the term 'area' does not include any area (or subdivision thereof) that has chosen not to participate in the flood insurance program under this title as of the date of enactment of this subsection.''.

Mr. DODD. Mr. President, we have a window here. I see Senator THUNE and he has the possibility of offering his amendment. I think Senator BOXER wants to express herself on that. She may be on her way over. If my colleague from South Dakota is prepared to offer his amendment, or talk about it, that would be helpful. Anybody else who has amendments who would like to offer them—I see the Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask the Senator from Connecticut, how many amendments are remaining on this bill, based on what he knows at this time?

Mr. DODD. I am glad the Senator clarified that. We have about five or six, based on what I know. There will be five or six votes at the most, as of now.

Mr. DORGAN. I am still trying to determine whether I can successfully offer an amendment. I know I have a right to offer it, but whether it is successful——

Mr. DODD. That is the Senator's problem.

Mr. DORGAN. Mr. President, let me make a point again to the Senator from Connecticut and see if there is any mutual understanding on these issues.

To use one example, we had a city that was completely evacuated in my State by a flood 10 years ago—actually 11 years ago now. It was the largest evacuation of any city since the Civil War. A city of 50,000 was completely evacuated because of a flood. In the middle of that flood, there was a fire in downtown Grand Forks, ND. A city that was flooded and evacuated was on fire.

In the intervening 10 years, there has been a flood protection plan, a very expensive one, $416 million, built to protect that city. The residents of that city, I believe, paid 45 percent of the cost of that flood protection plan.

As I read title VII—I believe it is on page 9 of the legislation—what is being said now is this city that has a 250-year flood plan, that is to protect against a 250-year flood, will be told: By the way, you residents, yes, you paid a lot of money for flood protection. It is blue ribbon, first rate, first class protection against a 250-year flood, but we have now decided you have to ante up $1 a day to buy flood insurance.

They are going to ask the question: What is this flood protection we paid for? We were told this was blue-ribbon flood protection. I know you have a 250-year flood protection levee; now we want you to buy flood insurance.

Is there anything in the legislation that allows FEMA to look at this situation, here is a levee that gives 100-year protection, here is a levee that gives 250-year protection, and here is one that doesn't give any at all? We have different kinds of insurance. Would FEMA be allowed to take a look at a new state-of-the-art, blue-ribbon, 250-year flood protection device and say those folks don't need to buy flood insurance, they just paid a substantial portion of the cost of a significant new flood protection device?

I ask the Senator from Connecticut, what is his intention with respect to that provision of the law?

Mr. DODD. Mr. President, first, I thank my colleague from North Dakota. I am familiar with the community. As my colleague will recall, at his invitation, I gave the commencement address at the University of North Dakota a few years ago and arrived a day or so early. I had an opportunity to visit the mayor and actually see the city that went through that remarkable devastation of flood and fire, simultaneously, in fact, and the rather remarkable recovery and great spirit that exists in that community.

Here is what we are doing. There are those who believe if you have any kind of a dike, dam or levee, that you should not have to pay for flood insurance. We cannot tolerate that in a sense. We have 130 dams, levees, and dikes that are at great risk of one kind or another in these residual risk areas. About 25 percent all the claims against the flood insurance program come out of these residual risk areas, not the coastline. Clearly, having dikes, levees, and dams help.

The fact is, the reason there is a dike, levee or dam is because it is in a residual risk area. Anything made by man or nature, there is no guarantee in perpetuity it is going to survive, even the 250 years about which we talked. What better example than Louisiana. We spent millions of dollars on a system down there that didn't work, ultimately. The idea of having someone pay a maximum of $350,000 worth of insurance—actually, the average cost is $316 a year. Less than a dollar a day for this kind of coverage is something we feel is dispersing that risk, bringing the cost in for the program.

Let me say to my colleague from North Dakota, he makes an interesting point. We are, in fact, in discussions with the other members of the committee on this very point, where you might be able to prorate, it seems to me, some of these costs based on the quality of that dam, dike or levee. I cannot subscribe to the notion of eliminating it altogether, but certainly when you have a state-of-the-art facility, then as a result of that, there is less of a risk. There still is risk. So you may bring down the cost of that risk.

We are negotiating about doing that as a way to recognize those kinds of contributions. So there would be some prorating.

Mr. DORGAN. I understand the notion of residual risk, and I think the Senator from Connecticut will agree those residual risks are different in different circumstances. I am not suggesting if you are behind a levee, wherever that levee is, you shouldn't have to buy flood insurance. But I am suggesting if you exhausted yourself and your community and your region producing a state-of-the-art flood control plan and spent a lot of money doing so, including your own money, and you are now told you have a 250-year protection, that when somebody from FEMA comes in and says, it doesn't matter a bit, it is irrelevant you built that, it

doesn't matter, you are going to be required to purchase what our friends from the committee have now enacted—if my colleague from Connecticut is saying this legislation either will or, as we might want to change it, could allow FEMA to take a look at that brand new 250-year flood protection plan and say, in this circumstance you have minimal requirements——

Mr. DODD. I think it is a very good idea and suggestion and one about which I have not had a chance to get into a long conversation with Senator SHELBY. I like the concept, the idea.

Remember this. The insurance program, putting aside whether you think the cost is high or low, without the insurance program, and if things don't work and you lose your home, there is no program of Federal disaster relief that rebuilds your home.

What the insurance program does for $316 a year is it gives you a chance to rebuild your home and the contents you lose. There is no disaster relief program the Senator from North Dakota and I have been a part of that provides that kind of assistance to homeowners affected by natural disaster.

This insurance program has great value to these people who live in these areas. It is a cost but actually has a value. I think the numbers ought to be higher than $350,000. I live in a higher cost area. So a $250,000 home in my State is less than the median cost of a home. I would like to see those values go up again. I presume in North Dakota $250,000 may be more a median cost of a home.

The idea that you are going to get for that $316 a year $350,000 back to rebuild that home of yours has value. I think prorating, based on the condition of dikes and levees, makes good sense. We will try to work on it.

Mr. DORGAN. We don't have a problem with the merit and value of flood insurance. I think the program makes sense. We have an agreement, as it is currently written, and I hope we can perhaps modify it in a managers' amendment. On page 9, section 7, it appears to me FEMA would be required to come in and say: Ah ha, you are behind that levee; therefore, you must purchase this insurance. I hope what the Senator from Connecticut intends with this is that it be risk based because there will clearly be a different risk attached to someone who has a brand new levee system that they exhausted themselves paying for over the last 10 years. It is all done. They cut the ribbon, they celebrated, they had the town band out, in fact, but they are told by FEMA: That is not a factor.

Mr. DODD. I think we are on the same page.

Mr. DORGAN. Let's see if we can craft something between now and the end of the day. I would not offer the amendment; the Senator from Connecticut will offer it, and it represents our combined views about this issue.

I appreciate my colleague having this colloquy.

Mr. DODD. I thank my colleague. It is a very good suggestion; once again, a very good suggestion.

The door is open for business. If anyone has amendments, we would like to have Members come over and offer the amendment. In the meantime, I suggest the absence of a quorum.

Mr. DORGAN. Mr. President, will the Senator withhold?

Mr. DODD. Yes, I withhold.

Mr. DORGAN. Mr. President, I ask for 5 minutes in morning business.

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

OIL AND GAS PRICES

Mr. DORGAN. Mr. President, I wish to make a point. I don't know yet if there is a markup this afternoon of the Appropriations full committee. If there is, I am intending to offer a couple amendments to that markup. I wish to describe one amendment that I plan to offer, and that relates to dealing with oil and gas prices.

The price of oil is way beyond that which is justifiable by simple supply and demand conditions. It is bouncing around like a yo-yo up around $120 and as much as $124 a barrel of oil. There is no justification in the supply and demand of oil for that price. It is damaging to the economy, and it hurts a series of industries in this country. The airline industry and trucking industry are just two examples. It hurts every American as they pull up to the gas pump to figure out where they are going to get the money to pay for the gasoline price.

What is happening? At the moment, a couple of things are happening.

One, we have an unbelievable bubble of speculation in the futures market. I have people say to me: That is not true. It is true. It is hard to justify the current price of oil given the physical elements of the market today. What we have is people entering the commodities futures market that have no interest in buying oil. They buy oil and sell it. They never take possession of it. They buy what they will never get from people who never had it. They are making money on both sides of the transaction because they are waging. To put it plainly, they are gambling. That is speculation. We have an orgy of speculation on the futures market.

We had people testify in the Senate and House that it adds $20 to $30 to a barrel of oil. Should we sit back and watch a bubble develop and say, ''Whatever the consequences, that is fine?'' The answer is no, of course, we should not. Buy stock on margin and it will cost you a 50-percent margin requirement. If you want to buy oil on margin in the futures market for crude oil, then you pay 5 to 7 percent.

We have hedge funds neck deep in the futures market. We have investment banks neck deep in the futures market. Are they are oil experts? Do they want to own oil? No, they want to speculate on oil and make money.

The fact is, it is damaging this country's economy. We ought to wring that speculation out of those commodity markets. We ought to be increasing margin requirements. I know it is hard to do, but we ought to do that. When we see this kind of speculation damaging our country by driving up oil prices and driving up gasoline prices, we ought to do something about it.

Second, we are now putting oil underground right now. We are taking sweet light crude oil off the Gulf of Mexico and sticking it underground in something called the Strategic Petroleum Reserve. I think it is fine to have the Strategic Petroleum Reserve if we run into trouble. It is nice to have an oil reserve. Yet, that reserve is 97 percent full. Still, this administration is taking up to 70,000 barrels a day, every single day, and sticking it underground.

They say it doesn't affect the price. Of course, it affects the price. We had testimony before the Energy Committee that because it is a much more valuable subset of oil, called sweet light crude, that it has as much as a 10-percent impact on the price of oil and gasoline. So, of course, it affects the price.

I think it is nuts for this country to be taking $124 barrel of oil and saying let's stick that underground and save it for a rainy day. I tell you what, it is a rainy day these days when you have to pay this price at the pump. It is a rainy day these days when you see four, five airlines go belly up because they cannot afford the fuel. It is a rainy day these days when truckers say that we have to park the truck because we can't afford the fuel. An entire industry is at risk.

The fact is, we have to do something about it. I mentioned two things, both of which are tangible and real and both of which are causing this increase, at least a significant part, in my judgment, in the increase in the ramp-up of the price of oil and gasoline.

The President believes that there is not much anybody can do in the near term. This is not a time to wring our hands, mop our brow, gnash our teeth and say there is not much anybody can do. This is a time for us to try to figure out what is happening and try to respond to it. It is doing great damage to our economy.

In the longer term, I believe that there are things we need to do. We are unbelievably dependent on overseas oil. We are unbelievably dependent on Saudi Arabia, Kuwait, Iraq and Venezuela. Sixty percent of our oil comes from offshore. As I described before and others have, we stick straws in this planet and suck oil out of the planet. Every day we suck out 85 million barrels of oil. One-fourth of that has to be used in this country.

Let me say that again. The appetite of oil is this: One-fourth of all the oil we pull out of the planet every day is used in this little place called the United States of America. Sixty percent we get from outside our country. Seventy percent of it is used by vehicles. We have a lot to do.

After 32 years, we finally mandated an increase of 10 miles per gallon in 10 years on a range of vehicles. We also need to produce more. I and three others in this Chamber got the law changed to allow us to go into lease 181 in the Gulf of Mexico and finally produce more oil and gas. Frankly, we ought to open up more of the Gulf of Mexico. That is the greatest potential reserve on the Outer Continental Shelf. I and three others introduced the legislation and got it passed and opened up lease 181. If you look at the Gulf of Mexico, California, and Alaska, and the East Coast, the greatest potential reserves are in the Gulf of Mexico.

We need to conserve more and produce more. We need greater efficiency for all we use, and we especially need to move into renewables.

I understand we have to do all of that. At the moment and in the short run, we have to take specific steps that will put downward pressure on prices. John Maynard Keynes said, ''In the long we are all dead.'' That is an economist talking. We can talk about the long run here, but let's also talk about the short run right now.

What can we do to address something that most Americans understand is a very serious problem? The issue is price of gasoline? I am just saying this, and there are those who disagree with me. Look at the commodities market and look at this orgy of speculation. This is a bubble. Wouldn't it be nice if someone had looked at that bubble as it built with respect to home mortgages and home prices? We have seen a lot of bubbles. We have seen the tech bubble. We have seen the bubble in home prices. Every bubble bursts. This one will. But in the meantime, how many additional casualties will we see on the side of the road? Look at what's happening with American families, American business, American industries. How many casualties? The big integrated oil companies go to the bank with a ''permagrin.'' They can't stop smiling because they are depositing our money in their bank accounts. But it is not only the big integrated oil companies, it is the OPEC countries. They are going to the bank everyday with our money because we recycle this money to provide for a bank account for the Saudis and others just like we do for the major integrated companies.

I do not think there is any justification for this price. This Congress is prepared to act. Senator REID and others have joined together, and I am a part of it to deal with this issue of putting oil underground. We are going to stop it in its tracks. I introduced a bipartisan bill a couple of months ago to suspension the filling of the SPR. Our entire caucus is also behind the proposition. We believe it's time to begin to wring this speculation out of the futures markets and stop this insidious rise in oil prices.

While we need to move beyond oil, right now we still need oil. There is no question about that. We need to find more, and we need to use less, to the extent we can. That means more production and more conservation. In the meantime, when markets do not work and people are doing things that have no common sense at all, such as putting oil underground when oil is $120 a barrel, then this Congress has a responsibility to act. We need to get things straight. Let's set things right; let's stand up here on the side of the American consumer and on the side of American businesses who need this energy.

One final point: In yesterday's The Wall Street Journal, they wrote one of those editorials that must make those folks grin like Cheshire cats as they sit there with their gray suits on, behind horn-rimmed glasses, deciding what to write next in the Wall Street Journal about the Senate. Did you see what those folks did in the Senate—DORGAN, SCHUMER, and others? What they did is said we should put pressure on the Saudis because the Saudis want to buy precision weapons for their own security from us. We should say that maybe they need to be producing more oil. Of course, the Wall Street Journal had an apoplectic seizure over that.

Here are the points. The Saudis are producing 800,000 barrels a day less than they did 2 years ago. It is not lost on them what this is doing to price. It is not lost on them, or it should not be, what this is doing to our country. They are pumping 800,000 barrels a day less than they did 2 years ago and then they say to this administration we wish to buy sophisticated weapons from the United States because we have our strategic military concerns in our region. Maybe we say to the Saudis: The United States has strategic concerns in our country as well. Why are you pumping 800,000 barrels a day less when you could be putting more oil on the world market? Partnerships work both ways.

I am very concerned about arming the Middle East. I am going to speak about that at some point later. But our point to the Saudis and the point in the Middle East was simple. If you are pumping 800,000 barrels a day less per day and then demand weapons from the U.S. without reciprocating then it's not going to work.

That is a long statement to say it is time for us to act. Senator REID, Senator KLOBUCHAR, other Members and I have decided we are not going to sit here like potted plants. When something is happening in the futures market and when something is happening to take oil off the supply to put it in the SPR, then we have a responsibility to act. I intend to be a significant part of that.

If we have the markup in the Senate Appropriations Committee this afternoon, I intend to offer a couple amendments at that appropriations markup. Unfortunately, I understand it may well be canceled this afternoon.

Ms. KLOBUCHAR. Will the Senator yield for a question?

Mr. DORGAN. I am happy to yield.

Ms. KLOBUCHAR. I thank Senator DORGAN for his leadership in this area. He was ahead of this. Before the crisis got to the pocketbooks of Americans, he was predicting what has happened. He has been proactive about this.

But can the Senator talk about the strategic reserve, the petroleum reserve? I know there is some bipartisan support for doing this, is that correct, for stopping putting our oil there?

Mr. DORGAN. It is the case. I have introduced legislation here in the Senate. Fifty-one Democratic Senators, including Senator OBAMA and Senator CLINTON, signed a letter to the President saying stop sticking oil underground for the rest of 2008. Also, a couple of weeks ago our Republican colleague, Senator HUTCHISON, led on a letter to the White House saying, yes, we agree. We ought to stop sticking oil underground at this time. There were 15 Republicans who sent that letter. Further, Senator MCCAIN said it was nuts to stick oil in the SPR while on the campaign trail. When you add that up, that is 67 people in the Senate. That is a veto-proof majority.

Ms. KLOBUCHAR. How much is it expected to save? Is there an immediate impact we might expect in savings per gallon?

Mr. DORGAN. There are several views on that, but we know it is a lot more than zero like the Administration assumes. We don't know exactly what the savings would be. We do know this: If today 70,000 barrels, especially the sweet light crude—which is the most valuable subset of oil—were put back into this marketplace, then people have testified in the Senate that it could impact as much as 10 percent of the price of oil and gasoline.

We know it would impact the price. Some say 70,000 barrels is not very much given what is used in a day. It is true, 70,000 barrels is not all that much, but this is sweet light crude which is very different. We had an economist named Dr. Verleger testify before the Energy Committee and make that very point.

This is a more important point. There are plenty of Members of the Senate who have now joined on this.

I was just informed the markup starting at 2 this afternoon has been canceled. This is where I was going to offer this amendment, so the amendment I expect to be able to offer will now wait until next week. We will get this done. We cannot sit around and allow things to happen. We have to make things happen, good things happen for this country and for the economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to speak as in morning business.

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

RENEWABLE ENERGY

Ms. KLOBUCHAR. Mr. President, I am going to speak on another topic

which is somewhat related to Israel's 60th anniversary. It is about energy security and climate change and the potential economic value to our country. The way it is related to Israel is this. As we look at the fact that we spend $600,000 a minute on foreign oil, much of that money going to countries that we might not want to be doing business with if we had a choice, Israel, like our country, is very interested in developing alternative energy. If we can cut our dependence on foreign oil, we will enhance our own security as well as Israel's security.

Last winter I visited the new headquarters of Great River Energy, one of the biggest electric co-ops in Minnesota, to talk about renewable energy.

Great River is building a new energy-efficient office complex in the suburb of Maple Grove, MN. But what I remember best about that day is the huge wind turbine that towers over the building, and the way its blades were rotating in the January winds. This is literally in the middle of a suburban shopping mall.

It might seem odd that a company would put up a wind turbine in the suburbs of Minneapolis—in fact, it has become a landmark for the commuters who drive past each morning and evening.

It might seem even more odd that an electric utility would erect that symbol of green energy in front of its new headquarters.

But what Great River understands—and what that wind turbine symbolizes—is that clean, alternative energy represents a huge opportunity for our country.

Great River is not alone among utility companies that can see the green future before us. Xcel Energy, based in the Twin Cities and in Colorado, already gets more than 10 percent of its power from wind. It has pledged to generate 30 percent of its electricity from renewable sources by 2025 and reduce its carbon emissions by more than 20 percent over the next 12 years. In fact, Xcel was supportive of our state legislature which put in place one of the most aggressive renewable standards in the country.

Xcel's CEO, Dick Kelly, recently said that Xcel intends ''to push it to the max. But it would be nice to have a policy at the federal level, a national policy, so we all know what the rules are.''

As we prepare to debate the landmark climate-change legislation that will come before us in a few weeks, I hope we keep these two examples in mind.

Because here is what they show us: Global climate change represents a world of challenges. But it also represents a universe of opportunities—for American business to develop new products and technologies, for consumers to save money on their energy bills, for America to achieve greater energy security and independence.

First, there is opportunity for consumers.

The National Academy of Sciences has estimated that American motorists were able to cut their gasoline consumption by almost 15 percent annually as a result of the last fuel-economy standards that Congress enacted in 1975—standards that also reduced the emission of greenhouse gases. The new CAFE standards that we adopted in December will not only further slow the emission of greenhouse gases—but they will also save the average consumer as much as $1,000 a year at the gas pump.

We are developing the technology to take these efficiencies even further and they make savings at the pump even greater. The opportunities lie not only in producing cheaper and renewable sources of fuel, including cellulosic ethanol, the next generation of ethanol but in making our vehicles more efficient. Increased efficiency is perhaps our greatest opportunity to stretch a family's energy dollar—$4-a-gallon stretches a lot further when it will take your car 50 miles instead of 25. The next generation of hybrid cars, as well as the development of cars powered by other renewable sources such as electricity or hydrogen, open a new world of opportunity for the American consumer; an opportunity for innovative American companies to be at the forefront; an opportunity to reduce our environmental impact while reducing our dependence on foreign oil.

Then there is electricity. If every American household replaced just one light bulb with a compact fluorescent bulb, the country would save $600 million in annual energy costs, the nation would save enough energy to light more than 3 million homes for a year—and we would prevent greenhouse gas pollution equivalent to the emissions of more than 800,000 cars,

There is also opportunity for business.

The Safeway grocery chain decided recently to install solar panels on 23 of its supermarkets to provide energy for heating, cooling and electricity.

They estimate that they will cut their electricity costs by 20 percent and that they will remove 12.6 million pounds of carbon emissions every year.

General Electric, one of the biggest corporations in the world, has moved aggressively into what it calls ''green products'' such as energy-efficient appliances and components for wind turbines. Its sales of green products have doubled since 2005 to $12 billion, and the company aims for $20 billion of green products sales by 2010. This is our ''building a fridge to the next century.''

In my home State, the State of Minnesota, in the town of Starbuck, there is a small company called Solar Skies. There are just 10 employees at Solar Skies, but those 10 people decided to take a risk, to leave their jobs, and to go to work for a place that makes solar panels. Those employees are devoted to the idea that we can create a new energy future for all of us. They believe in their work and are now reaping the benefits of the opportunity created by this new energy economy. When I visited them, they actually had me jump up and down on the solar panels to show that they could withstand hail damage; I am sure they would welcome the Presiding Officer from the great State of Montana to do that as well.

Clearly, the people at Solar Skies are not the only ones to understand the opportunity. If you look at the leading indicator of American investment, venture capital, you will find that it reached $2.9 billion of investments in green technologies last year, up 78 percent from a year earlier.

Clean technology is not only the fastest growing portion of the venture capital market, it is now the third largest category, behind only biotech and computer software.

So today we have to ask ourselves, Does the United States want to be a leader in creating the new green technologies and the new green industries of the future or are we going to sit back and watch the opportunities pass us by? I am determined that we will be a leader.

As you know, this is my third speech on climate change every week up through the debate. The first was an overview, and the second one was about leadership and the need to push this country forward, to be a world leader on this climate change issue and on technology. Today, we are talking about the possibilities of new jobs for this country, for our country as a whole.

This is also an opportunity to create an energy-secure future, to free our country from its dependence on foreign oil. We spend literally $41 million every hour on imported oil, and much of the money simply goes back to countries that are not our friends.

The Council on Foreign Relations recently studied this question, and they said:

> America's dependence on imported energy increases its strategic vulnerability and constrains its ability to pursue foreign policy and national security objectives. The lack of sustained attention to energy issues is undercutting U.S. foreign policy and U.S. national security.

But the report also concluded that a determined conservation effort could:

> Unleash remarkable forces for innovation in this country. Entrepreneurs are seeking new ideas for products and services such as batteries, advanced oil and gas exploration and production techniques and biofuels.

By reducing our emissions of greenhouse gases through conservation and new technology, we can reduce our use of imported oil and leave our country in a stronger international position. This is not only wishful thinking. It has worked before. Conservation initiatives enacted after the first OPEC oil embargo reduced the oil intensity of our economy, saving our country the equivalent of 15 million barrels of oil

per day. Today, a comprehensive policy to reduce greenhouse gas emissions, including higher fuel standards for cars and trucks, development of clean alternative sources of energy, and better energy efficiency standards for buildings, can do this.

Look at the Chevy Volt. Two years from now, the Chevy Volt will be available for purchase. You can plug your car in, you go 30 miles, and then it transitions over to fuel. In other words, if you are driving through Montana or Minnesota and it is 10 below zero, you are done with your 30 miles, and it is not going to stop, it transitions over to fuel, and hopefully that will be alternative fuel.

We can cut our oil consumption by as much as 35 percent by 2030—more than offsetting the oil we import from OPEC today—just by putting in place these higher fuel economy standards for cars and developing clean alternative sources of energy and better energy efficiency standards for our buildings.

A study last year by the McKinsey Global Institute concluded that projected electricity consumption in American homes in 2020 can be reduced by more than one-third if high-efficiency measures were adopted nationwide, including lightbulbs, water heaters, kitchen appliances, room-insulation materials, and standby power. But here is what is interesting. The report warned that market forces alone, even with higher energy prices, would not be sufficient to make the most of these energy-efficient technologies. What is required is leadership from Washington, leadership from this Chamber, leadership from the White House, a new national strategy to wean the country from fossil fuels, to reduce our emissions of greenhouse gases, and to set the stage for this new energy economy.

This is the heart of the climate change legislation that will come before us in the next few weeks: a strategy to cap and reduce greenhouse gas emissions, then use a cap-and-trade system so that the private sector achieves these reductions in the most efficient way possible. The market is ready, but it needs leadership from us.

Last year, Minnesota's own Tom Friedman had a cover story in the New York Times Magazine, ''The Power of Green.'' It should be required reading for anyone who cares not only about the future of our environment but also our economic future and our future national security.

In the article, Tom Friedman asks: How do our kids compete in a flatter world? How do they thrive in a warmer world? How do they survive in a more dangerous world?

The answer is, in making the most of the economic and technological opportunities to reduce our dependence on fossil fuels, and the greenhouse gas pollution that comes from it, we do better.

Friedman said that clean energy technology is going to be the next great global industry. He went on to propose the Green New Deal, one in which the Government's role is not funding projects, as in the original New Deal, but seeding basic research, providing loan guarantees where needed, and setting standards and incentives and taxes that will spawn all kinds of new technologies.

We are trying to do that right now with the wind tax credit, the renewable tax credit, for geothermal and for solar and other kinds of renewable energy. I believe this is not all about cutting back or hunkering down, it is about seizing opportunity.

In his words:

> It's about creating a new cornucopia of abundance for the next generation by inventing a whole new industry. It's about getting our best brains out of hedge funds and into innovations that will not only give us the clean-power industrial assets to preserve our American dream, but also give us the technologies that billions of others need to realize their own dreams without destroying the planet.
>
> It is about making America safer by breaking our addiction to a fuel that is powering regimes deeply hostile to our values. And, finally, it is about making America the global environmental leader, instead of a laggard.

Oponents of the Lieberman-Warner climate change bill say we cannot do this because it will somehow cripple our economy. I say we cannot afford not to enact climate change legislation because global warming will cripple our economy.

A recent economic study commissioned by the Pew Center on Global Climate Change concludes that, under at least one scenario, higher temperatures could cut more than $100 billion off American economic output over the next century, largely because of damage to agriculture, forestry, and commercial fishing.

Now, look at this. The temperature in the last 100 years is up 1 degree. That does not sound like much until you realize it has gone up only 5 degrees since the height of the ice age. Our EPA, using data, well-founded scientific data, projects that temperatures in the next century will go up 3 to 8 degrees.

So this idea that we can lose $100 billion off American economic output over the next century is not some far-flung idea, it is based on scientific research. Unless we can confront this problem and confront it now, those costs will simply go higher and higher. We will also miss the opportunity for new jobs, for new products and technologies, new consumer savings, and a more responsible climate change policy. It is a big challenge. But meeting challenges is what our country does best. Just look at history.

When the space race began with the launch of sputnik in October 1957, American citizens listened with indignation and fear as the first manmade satellite, a Soviet satellite, beeped its way around the Earth. Yet it inspired our Nation and its universities to make a historic investment in math and science education. Within a decade, our country tripled the number of science and engineering Ph.D.s—tripled them.

In 1961, President Kennedy issued a challenge to our Nation: Put a man on the Moon by the end of the decade. We answered the call. On July 20, 1969, what seemed impossible became reality when Neil Armstrong took that giant leap for mankind.

But the space program was not only a success because we put a man on the Moon before the Soviets, it also spurred countless other innovations in industry. I love saying this in front of our pages because I think they were not born when this happened. To them, this is commonplace, but back then we did not have these things. This is what it has spurred. It spurred industries and innovations such as weather satellites, solar technology, digital wristwatches, ultrasound machines, laser surgery, infrared medical thermometers, programmable pacemakers, satellite TV broadcasts, high-density batteries, high-speed long distance telephone service, automatic insulin pumps, CAT scans, radiation-blocking sunglasses, GPS devices, and the little chocolate space sticks my family would take when we went on camping trips in the 1970s. That all came out because we had a President who said we have a national goal, we are all part of the same Nation, and we are going to reach the goal. We can do the same thing with climate change and energy independence.

Today, it is not a Russian satellite streaming across our skies that should galvanize our Nation into action. It is the multiplying smokestacks in China, it is the receding glaciers in Greenland and Antarctica, and it is the rapidly rising global temperatures, and it is being leapfrogged by countries like Brazil that are now fuel independent because their Government put in place a policy for alternative biofuels.

But just as sputnik sparked a new age of prosperity and opportunity, these trends can lead to opportunities for the strengthening of our economy and renewing our leadership in the world. In doing so, we will create a better economy for the next generation by developing whole new industries, which will not only help us preserve our American leadership in the world but will also help to deploy technologies billions of others need to realize their own dreams without destroying the planet.

I believe we have the responsibility to confront a grave threat to our environment and our health. I believe we have the opportunity to do a great service to the people of this country. I believe that before us now we have the opportunity to make our economy stronger and more efficient. But it is rare that we have the opportunity to accomplish all three at once, to accomplish so many good things in one bold stroke. This rare opportunity will come before us in a few weeks when we take up the landmark Lieberman-Warner bill to address the challenge of

global climate change. We must seize that opportunity.

Mr. President, I ask unanimous consent that at 2 p.m. today, the Senate resume the DeMint amendment No. 4710, as modified, and that there be 20 minutes of debate prior to a vote with respect to the amendment, with 15 minutes under the control of Senator DEMINT and 5 minutes under the control of Senator DODD or his designee; that no amendment be in order to the amendment prior to the vote, and that upon the use or yielding back of time, the Senate proceed to vote in relation to the amendment.

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

Ms. KLOBUCHAR. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. 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. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

Mr. BROWN. I thank the Presiding Officer and the Parliamentarian.

TRADE

Mr. President, for the last year, 15 months, 16 months, or so, as I have traveled throughout my home State of Ohio, I have held 95 or so roundtables with small business owners, entrepreneurs, workers, community leaders, family farmers, educators, and everywhere I go I hear variations of the same story—about plants that have closed and left for Mexico or China, and workers, often in their fifties and sixties, who have few alternatives.

Manufacturing has been devastated over the past 5 years. Ohio has lost upwards of 200,000 manufacturing jobs since 2001, and this administration has been largely indifferent.

One of these roundtables was held in Tiffin, OH, a small manufacturing city of about 20,000 people, an hour or so from Toledo. A company well known, American Standard, a company that makes plumbing equipment, was bought out by an investment banking firm from Boston in November. In December, they notified the workers they were going to shut down the plant and move its production elsewhere.

A couple hundred workers lost their jobs, many of them lost big chunks of their pension, and some of them lost their health care. Yet the investors who came in and bought American Standard did, of course, very well.

Today, Ohio and its neighbors feel this problem of plant shutdowns, what it means not just to the workers and their families, but what it means to the communities as it relates to police protection and fire protection and teachers, as these communities are badly hurt, particularly smaller cities, and they simply cannot afford to hire as many police and firemen and teachers.

Ohio and its neighbors feel this problem most acutely, but it is the Nation's problem. Our economy cannot prosper unless we make and sell goods as well as services. Yet for the past several years, much of our Nation's greatest engineering prowess has not gone to Toledo or Dayton or Youngstown but, instead, to Wall Street.

Unfortunately, traditional manufacturing has declined as a share of our economy, while the manufacture of financial products has become increasingly important.

When I was elected to Congress in 1992, our trade deficit was $38 billion—$38 billion a decade and a half ago. Today, it exceeds $800 billion. With oil reaching $121 per barrel, and perhaps higher soon, the trade deficit will likely only increase in the years ahead.

Leading up to the Ohio Presidential primary in March, the media focused on NAFTA, the North American Free Trade Agreement. In Ohio, when we talk about NAFTA, we mean our overall trade policy, be it with Mexico and Canada, or China, or Central America. But the media, of course, hears only the word ''protectionism.'' When you think about it, that is a pretty interesting choice of words. On the one side you have proponents of free trade, while on the other side you have what many papers label as ''protectionists.''

Those of us in favor of fair trade are, indeed, trying to protect what we believe is important. We would like to protect the labor standards our country has fought so hard to establish over many decades. We would like to help our trading partners, the developing world, to improve their labor standards. We would like to protect consumers in this country from defective and even dangerous products. We would like to protect our children from toys covered with lead paint and our hospital patients from tainted blood products. We would like to protect the ability of our manufacturers to compete against foreign companies without having to overcome trade barriers such as currency manipulation.

So, yes, there are things I would like to protect. But so-called free traders are interested in protecting their interests, as well. They would like to protect their beef from imports. They would like to protect pharmaceutical companies, as they do. They would like to protect financial services. In fact, trade agreements of recent years basically are chock full of protections—protections for the financial service industries, protections for the pharmaceutical industry, protections for big oil.

In fact, NAFTA—what I hold in my hand is not the actual NAFTA trade agreement but NAFTA was about this size. NAFTA contained hundreds of pages of protections—protections in areas that go way beyond tariffs on goods. It is similar with the Colombia trade agreement; it is also about this size. If they were free-trade agreements, you could have written them on about this many pages: five, six pages. All you would need is a tariff schedule—a schedule of tariffs we were going to reduce or eliminate. But, instead, NAFTA and the Colombia Free Trade Agreement and these others are this big. Do you know why?

It is not just the tariff schedules. They also have protections for the drug industries, protections for the banks, protections for the oil industry, protections for all kinds of corporate interests in every one of these trade agreements. That is why when we talk about protections, let's be fair. Yes, to be sure, I want to protect workers. I want to protect communities such as Tiffin, OH. I want to protect Sandusky and protect Lorain and protect Springfield and protect Zanesville. I want to make sure those communities are not devastated by these trade agreements that have all kinds of protections for the largest corporate interests but very little for the environment, even less for workers, and even less still to protect our food supply and our toy supply for our children.

We need to recast this debate. Those of us who want to change the rules are not protectionists, in spite of what every elitist newspaper from the New York Times to the Los Angeles Times and everything in between likes to say. Those of us who want to enforce trade laws and defend against bumping Chinese steel products are not protectionists. Those who want safe ingredients in pharmaceuticals we import are not protectionists. Those who want to make sure our children's toys coming from China—after our toy companies outsource jobs, push the Chinese subcontractors to cut costs. They cut costs by putting lead-based paint on toys because it is cheaper, it is easier to apply, it is shinier, it dries faster. Yet then these products, these toys come into the United States, and the Bush administration has weakened consumer protection laws and cut the number of inspectors so, because of this trade policy, this protectionist, protect-industry-at-all-costs trade policy, we have these tainted toys entering the bedrooms of too many of our children.

Trade is not just about exchanging goods between countries. Trade, when done right, is about lifting workers in the United States and lifting workers abroad out of poverty. It is about creating new industry. It is about creating new business. It is about creating new jobs. It is about ensuring strong and thriving economies for all parties involved.

Fair trade products—for example, coffee, tea, bananas, flowers—products once relegated to specialty shelves in health food stores have now found their way into mainstream America.

Costco and McDonalds have begun to promote fair trade. That is fair trade

where workers share in some of the profits they produce for their employers. They know it means quality products and good business sense at home. In the coffee fields of Nicaragua, fair trade products mean a bright future for tens of thousands of young girls—girls who often would not have been able to go to school, but they are able to because their parents—coffee farmers in the case of Nicaragua—are making an income that gives them enough, sometimes more than $1 a pound, as opposed to coffee that is not fair trade where maybe they get only half that. The kids of those workers do not get to go to school.

Fair trade products mean that farmers in developing nations earn two to three times more for their products, and those children, as I said, can get an education.

Fair trade products mean workers on flower farms across Latin America will be free from poisonous pesticides that cause death and birth defects.

Fair trade products mean that workers in developing nations will earn more and be able to buy more from us—the whole point of trade. That means, obviously, increased exports for U.S. businesses.

Fair trade means trade—and more of it—but with a very different set of rules, not this kind of protectionism to protect the drug companies and the oil industry and the insurance industry and the financial services, but trade agreements with a different set of rules that help lift up people, both in the developing world and in this country.

Proponents of the same failed trade policies of the last 15 years need to stop selling the trade deal with Colombia, for example, as a path to a stronger economy.

NAFTA sent 19 million more Mexicans below the poverty line. Today, there are 19 million more Mexicans living below the poverty line than in 1993, since NAFTA. CAFTA has failed—the Central American Free Trade Agreement—to create the thriving middle class in Central America that proponents promised.

The Colombia Free Trade Agreement, as written, will produce the same results: more poverty abroad, more lost U.S. jobs, more small businesses in this country closing up shop.

The first President Bush said each billion dollars—listen to this—each billion dollars of our trade surplus or deficit translates into 13,000 jobs. A billion-dollar trade surplus creates 13,000 jobs. A billion-dollar trade deficit costs 13,000 jobs. That is what the first President Bush said. That was back when the trade deficit was $20 billion, $30 billion, $40 billion. Again, think about that: 13,000 jobs for a billion-dollar trade deficit or surplus.

Today, the trade deficit exceeds $800 billion. Just do the math. The cost in jobs of this enormous increase in our trade deficit is staggering.

It is not surprising that voters in my State see bad trade deals as a major factor in the destruction of our manufacturing base. They know our economy and they know their interests are undermined by that exploding trade deficit. They know Ohio's problems are Colorado's problems and Montana's problems and Massachusetts' problems. They know for the past three decades the historical link between rising productivity and rising wages has been severed.

For most of my life—well, half of my life; the first 25 or 30 years of my life—in this country, when workers were more productive, their wages went up. If I had a chart, you could see that. We could map productivity, and we could map wages. In this country, for decades and decades and decades, this created the middle class. This is what made us a successful economy and a successful democratic capitalist country—that productivity and wages would almost be parallel.

Today, particularly in the last decade, that connection has absolutely been severed. That has been the problem in many ways with our economy. Wages have been flat, profits have been up, executive salaries have exploded, and the middle class has struggled mightily.

Our country has entered a period where income inequality is at the highest level in 70 years. Now is the time to be asking the right questions. It is time to end the name calling and have a real debate about trade. We are at a critical juncture in our Nation's history. It serves both sides of the trade debate to remember that U.S. trade policy is a tool. It is not a fairy godmother. It should not be used to temporarily pump up well-connected industries—as trade policy often is; hence, all the protections—nor should it be used to tamp down competitive forces.

Our trade policy must promote competition, build on the progress our Nation has made, and promote our Nation's economic and strategic objectives rather than flouting them.

Ultimately, it will be ingenuity and sweat equity—we know that—that enables our country to thrive in the global marketplace. Like every country, we will have to work harder and smarter to win every contract and every sale. But it is the role of governments to ensure the rules for that contest are fair and that the interests of everyone—not just those we protect in our trade agreements—to ensure that everyone has a stake and everyone is served by our trade policy.

Our Government has not done that. Our trade deficit has ballooned, our manufacturing sector is faltering, and real wages are falling. The last thing we need is more business as usual. No more NAFTAs, no more CAFTAs, no more Colombia trade agreements. Business as usual has not worked. The status quo is not working. Again, 15½ years ago, the trade deficit was $38 billion; today, it is $800 billion.

We need to decide what our economic goals will be and how we achieve them. If we do not, we will wake up to find we have left a sorry legacy to our Nation, to our communities, and to our children.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SALAZAR). The clerk will call the roll.

The 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.

SUPPLEMENTAL APPROPRIATIONS

Mr. GREGG. Mr. President, I rise to speak briefly—not about the bill that is pending but about a bill that is somewhere in one of the hallways around here, which is the supplemental that is necessary in order to fund our troops in the field. That bill was supposed to be marked up today in the Appropriations Committee, but, regrettably, for reasons which are not totally clear to me but which are reasonably apparent—which is that the House has not yet gotten its procedures in order—the bill was not marked up, the markup was canceled. It was supposed to start at 2 o'clock.

I certainly hope we will mark up this bill. It is very important this bill be subject to regular order. It is a very significant bill, obviously, because it involves funding for our troops in the field. It is significant also because a lot of other matters which are extraneous to the issue of fighting the war and giving our troops the resources they need have been added to it on the House side, and even more, as it appears, maybe even being added on the Senate side. Thus, the Senate ought to have the right to work its will on the bill in the regular order, which includes a committee hearing where the various issues are aired and amendments can be made. Then when it gets to the floor, it should also be subject to amendments so the minority, especially, can have some input on the bill. Otherwise, the minority gets written out of the process, which is not constructive to the institution, and it certainly means we would have to defend our rights and probably oppose the bill on those procedural grounds that we have an obligation—that we as a minority basically have the sacred right of making a decision as to when amendments are to be offered or at least what amendments should be voted on.

Relative to a major piece of legislation such as this, we as the minority should have the right to amend it. If we decide not to amend it, that is our choice, obviously. But parts of this bill clearly need to be subject to amendment, and the minority has a right to be heard on that in the Senate, especially because that is the essence of the institution. The minority has the ability to participate in the process through the amendment process and through the filibuster process.

So I wish to speak to some of the amendments I would have offered had we met today which I happen to think are very appropriate to this bill and which are in the area of jurisdiction for which I have primary responsibility. I am the ranking member on the Foreign Operations Subcommittee which is the committee that deals with foreign relations, with the State Department, and with funding foreign activities. There are some very important issues which need to be addressed in this bill that are not addressed. This bill has a significant amount of money in it that will flow through the State Department which deals specifically with Iraq, with Afghanistan, and to some extent with other issues such as Mexico.

The first amendment I would have offered would have been language to correct what is an inconceivable bureaucratic snafu, in my opinion. That is the fact that Nelson Mandela—certainly one of the greatest leaders of the 20th century, who epitomized the movement for freedom and for equality in Africa but really for the world generally—is not allowed in the United States unless he gets a special waiver from the Secretary of State which allows him to come into the United States because of the fact that he was a member of the African National Congress and is a member of the African National Congress, having been the head of South Africa as that party rules there; and that party, due to the history of that party, has been caught in the bureaucratic framework of our laws and is designated as a potential terrorist organization, which is really ridiculous on its face.

The fact that Nelson Mandela cannot come into the United States because the organization he led, which delivered freedom and equality in South Africa, has gotten this designation due to its prior activity, it would be like saying the head of the Likud Party, which a number of Prime Ministers of Israel come from, because it at one time was an activist organization confronting British rule in Palestine at the time, the head of the Likud Party would not be allowed in the United States but would have to receive special exemption. It makes no sense.

So this language, which the Secretary of State totally supports and the Secretary of State is equally outraged by, would have to be changed. So working with the State Department, we have this language together, and we will go over it.

I understand at 2 o'clock we go into debate on the DeMint amendment, and I will be happy to yield the floor as soon as somebody arrives and wishes to debate. But I ask unanimous consent to be able to continue until such individual arrives.

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

Mr. GREGG. The second amendment I would have offered would address the issue of the war on terror and our involvement with Iraq relative to the State of Jordan, which unfortunately has found itself incurring dramatic costs as a result of the overflow of the events in Iraq. Massive amounts of refugees are coming into Jordan. It has put an extraordinary burden on that country, a tremendous ally and friend of the United States.

So I believe we have an obligation as a nation—since we created this problem for Jordan in many ways by the activity in Iraq—to support Jordan as it tries to address the issues of the refugees. We cannot help them with the physical activity of the refugees there, but we can give them resources. I was going to increase funding to Jordan to accomplish that. I know Senator INOUYE is also very interested in this issue.

In addition, money being spent by the State Department in Iraq on behalf of reconstruction should be significantly limited; but more important than that, any new money we spend for reconstruction through State Department accounts should be matched one-to-one by the Government of Iraq. I find it inconceivable for a government that runs a $30 billion or $40 billion surplus, on the issue of oil revenues, not be asked to pony up or at least match what the American taxpayers are spending there relative to resources to promote reconstruction in Iraq. So I was going to offer that amendment.

I see the Senator from South Carolina is here. I understand this time is correctly his. At this point, I will yield the floor. First, I also intended to offer an amendment in markup today which would have put a consular office in Tibet. I think it is critical to have a consular office there as the Tibetan people deal with the situation occurring there relative to the Chinese Government crackdown.

At this point, I yield the floor.

AMENDMENT NO. 4710

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate prior to a vote in relation to amendment No. 4170, offered by the Senator from South Carolina, Mr. DEMINT.

The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I wish to talk about my amendment that will be voted on in about 15 or 20 minutes. It is amendment No. 4710. It is an amendment to the National Flood Insurance Program bill we are considering today.

The whole purpose of the flood insurance bill is to improve the program, make it more actuarially sound, make it more financially sustainable over many years. Obviously, we have had huge problems with the program. Yet it is very important to people all around the country, particularly those in coastal areas.

One of the goals of this reform bill is to make the rates fairer and to phase out a number of the subsidies that we have allowed under the current program.

The current program allows up to a 65-percent subsidy on properties that were purchased before we developed these flood maps. In other words, there were many properties purchased years ago when people did not know they were purchasing a home in a flood area. For that reason, we basically grandfathered these homes in and allowed them lower rates in the flood insurance program than those who bought homes after we had designated those flood areas.

The bill addresses some of those properties by phasing out the subsidies of nonprimary residences—those that are rental properties, second homes, and even those with severe repetitive losses. We take about 475,000 properties that were pre-FIRM, as we call it, or preflood map, and phase those out. There are 700,000 permanent residences we do not address in the bill.

The purpose of my amendment is to bring all the properties, basically, into the same plan, and not to force some to pay higher premiums so we can give subsidies to these 700,000 homes. My bill doesn't affect the rates or the subsidies of any current property owner. My amendment does address new owners, if those properties are sold after this bill passes. In other words, we continue the subsidies of current property owners, except for those already addressed in the bill. But if those properties are sold, clearly, the new owner would know they are buying in a flood zone, so the rationale to continue subsidies up to 65 percent does not exist.

I remind my colleagues that if we allow inequities to continue, where some are getting subsidies and some are not, then some residents—and one might be sitting next to another—are going to have a higher property value because it will get lower flood insurance rates indefinitely, no matter how many times it is sold.

My amendment, again, I think would improve the sustainability of the program. I encourage the ranking member to consider this. I know there have been agreements not to add or support any amendments. But I think this captures a lot of the intent of the whole bill to make the program sustainable and fairer, and actually my amendment would return about $550 million in additional premium revenues to the plan over the next 10 years. So this is, again, designed to make the program fairer.

I encourage my colleagues to look at this amendment. It is not a partisan amendment in any way. It will make the program better and fairer and it will bring everybody into the same status once properties are sold.

With that, I will reserve the remainder of my time and yield the floor.

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

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

The Senator from South Carolina.

Mr. DEMINT. Mr. President, in a moment I will ask unanimous consent to withdraw my amendment, but I wish to have a little discussion on the floor with the chairman and ranking member because for the most part, we agree on a lot of the principles in the bill, and they would like the latitude to work some of this out in conference.

My goal is to have a more sustainable, fairer program. The idea is not to raise the price of current premium payers or to raise the price of real estate. I want to ask my colleagues if they would consider some of the principles of bringing all policies eventually into some actuarial equity.

Mr. DODD. Mr. President, if my colleague will yield, he raises a very good point. In fact, I had a discussion with Senator DORGAN on a similar issue, but the same point of an equity interest involving the cost of premiums where you have a very well-built levee and should the premium be the same as one with a 50-year-old levee—that is a legitimate point, it seems to me.

We talked earlier with Senator VITTER about costs and values. We disagree with him on that issue, but he makes a case, as the Senator from South Carolina does, that we need to strike this balance well so we are not locking in permanent costs, and not also falsely contributing to a rise in the cost of real estate in a time when we are dealing with oversupply and trying to move properties.

I am sympathetic with what my colleague is trying to achieve. There is an equity interest he has identified that I think has legitimacy. The question is, How do we satisfy that in a actuarially sound program?

I commend him for the idea. I am grateful to him for withdrawing the amendment. It gives us a chance to work on it and examine it in a way that will hopefully satisfy him. I cannot promise him this, obviously, because the Senator from Alabama and I have to deal with the House. I come with an open mind to the equity issue he raises with his amendment.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I commend the Senator from South Carolina for bringing up his amendment. I think it is something we should consider in conference. Senator DODD had a colloquy about it on the side on the floor a few minutes ago.

At the end of the day, what we are interested in is a more actuarially sound flood insurance program, one that will make more sense after a lot of mapping goes on around the country that will broaden the program and not perpetuate subsidy over and over for four or five sales or four or five generations where property is sold.

The Senator from South Carolina is on the right track. I assure him I want to pursue this in conference.

AMENDMENT NO. 4710 WITHDRAWN

Mr. DEMINT. Mr. President, I thank the chairman and the ranking member. I trust their judgment to work this issue out in conference. I think the bill has made a lot of progress.

Mr. President, I ask unanimous consent to withdraw my amendment.

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

Mr. DEMINT. Mr. President, 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. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

DARFUR

Mr. DURBIN. Mr. President, I rise today to mark the anniversary of one global tragedy and to call attention to another, a tragedy that is occurring even at this moment.

Fourteen years ago this week, the world stood by as 800,000 Rwandans were brutally murdered, largely along ethnic lines, in only 100 days. Despite early warning signs and pleas for greater international attention, we did little more as a nation than watch as this act of genocide was allowed to continue.

Canadian GEN Romeo Dallaire at the time was commander of a small U.N. peacekeeping force in Rwanda when the genocide began. He desperately tried to get the United Nations to approve a more robust force to end the killings. Despite his efforts, the Security Council voted instead to cut back the United Nations' force. Nearly 2,500 troops were replaced with 450 poorly trained and poorly equipped soldiers. We all know the tragic result. Today the world looks back in shame at the inaction in Rwanda. We all failed.

In 1998, President Clinton visited Rwanda and spoke to those who lost loved ones in those horrible times. President Clinton said:

> We in the United States and the world community did not do as much as we could have and should have done to try to limit what occurred in Rwanda in 1994.

President Clinton's decision to visit Rwanda was an honorable one. It was the right choice. His words were inspiring in their honesty and accuracy, but his words were also an important reminder that the world cannot allow such a tragedy to occur again.

President Bush visited Rwanda in January and toured the Kigali Memorial Center, which I have also visited, where 250,000 Rwandans are buried in mass graves. President Bush said he hoped the world would ''once and for all'' work to halt the genocide in Darfur.

President Bush will soon be leaving office—less than a year from now. I fear that unless his administration acts, and acts quickly, we will once again fail to stop a genocide in its tragic march. If we want to send a message to the world that the United States will not turn a blind eye to genocide, now is the time to act in Darfur.

Violence began in Darfur 5 years ago. Since that time, I have come to the floor many times to talk about it.

In 2004, the House of Representatives unanimously adopted a resolution calling on President Bush to call the atrocities in Darfur by their rightful name: a genocide. The resolution also urged the President to consider multilateral—even unilateral—intervention. That resolution passed nearly 4 years ago, in July 2004—4 years ago.

A few months later, Secretary of State Colin Powell said:

> [G]enocide has been committed in Darfur and that the government of Sudan and the Janjaweed bear responsibility and the genocide may still be occurring.

In June 2005, President Bush said he agreed with Secretary of State Powell's determination that what was happening in Darfur was in fact a genocide.

Two years later, President Bush spoke at the Holocaust Museum here in Washington and said that ''genocide is the only word for what is happening in Darfur.'' He went on to say '' . . . we have a moral obligation to stop it.''

Many things have been said by many influential people over the years, but little action has taken place. Five years after this declaration of genocide, where do we stand? What have we done? As many as 400,000 residents of Darfur have been killed, others brutally raped and tortured, entire villages torched, creating a refugee crisis that has forced more than 2 million Darfuris to flee their homes.

This photo is almost surreal. As often described, people who have flown over the Darfur region say it looks as if people have put cigarettes out—the types of burns that you see. The burns, of course, represent huts in villages that have been destroyed. This is a part of Sudan after the Sudanese Government and allied militia forces recently burned a village.

Hundreds of thousands of women and children live in refugee camps in Darfur and Chad. I don't think this photo does justice to the camp, but what appear to be tiny white dots are, in fact, small tents, a sea of small tents. There are 90,000 people who live in the Kalma refugee camp in Darfur—no grass, no trees, 10 reported rapes every single day. The people in camps like this one in Kalma are dependent on us, the entire international community, for the basics—food, water, and shelter. It is nothing short of a humanitarian catastrophe.

The U.N. Security Council voted last summer in favor of a historic 26,000-member U.N.-African Union joint peacekeeping force. Last summer, they voted for it. That brought a glimmer of hope across the world that finally

there was going to be a global response to this terrible situation.

Today, almost a year later, only a third of those peacekeepers have been deployed—a third. Only a third of this peacekeeping force is on the ground while the Sudanese Government continues to thumb its nose at the international community and its forces continue to attack villages in Darfur. Humanitarian and U.N. relief workers face ongoing violence and harassment.

This photo is of a grieving mother whose children were killed in Darfur. Hers is one of the thousands—hundreds of thousands of tragic stories. She said her three children had been burned alive in this region's violence. Just the other day, Sudanese forces were reported to have bombed a primary school in the north Darfur village of Shegeg Karo, killing at least seven little children.

After so many years, after so much violence and human suffering, after so many calls for action, what is holding up the deployment of peacekeepers?

It may be hard to believe, but one significant problem is a shortage of helicopters—hard to imagine, a shortage of helicopters, as the killing, looting, pillaging, raping, and displacement continues. This tragic genocide has been raging for 5 years while we have just stood by and watched. Yet the world's most powerful nations cannot manage to dig up a handful of helicopters. How can that be? Are all our helicopters tied up in Iraq and Afghanistan? Are they all in the shop? Is there truly not one NATO ally that will spare a few helicopters? How about asking the Russians? They are already helping in south Sudan and Chad. The Russian Ambassador visited my office recently and told me he is open to exploring helping Darfur. It is hard to imagine that the United States would be asking other countries to be supplying helicopters, but at the risk of allowing this genocide to continue, we ought to do that.

This tragedy is of historic proportion, and it is our chance to step in and show the world we really care. But what it takes is Presidential leadership—not in 6 months, not in a year, but now.

I know some of my colleagues in the Senate, ones on the floor here—Senator BIDEN has raised this issue personally with President Bush. Quite simply, I want to put this in the most simple terms because I said it directly to the President himself and to Secretary of State Condoleezza Rice: If you are not going to do anything before you leave office to stop the genocide in Darfur, then spend a few minutes writing your speech so that a year or two from now, when you visit that terrible place, you can say: We could have done more; I wish we would have.

That is what it has come down to. This administration and Congress will either act soon or, sadly, this genocide will have occurred on our watch.

A few years ago, President Clinton faced the reality of his failure to act in Rwanda. He called it ''my great, great regret in international affairs.'' President Bush, this is your chance. Either do something or face a similar script and a similar speech in years to come, expressing your regret that you, on your watch, did not stop the genocide in Darfur.

We cannot allow ourselves to have to look back years from now to say that happened. We have a moral responsibility as a leader in the world to speak out and act to save these people.

I yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

AMENDMENT NO. 4734 WITHDRAWN

Mr. ENSIGN. Madam President, I ask unanimous consent that the Ensign amendment be withdrawn.

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

Mr. ENSIGN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. 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. REID. Madam President, before my friend leaves the floor, I express my appreciation to my colleague Senator ENSIGN. This is an issue that needs more work. We have spoken to the two managers of the bill. They are going to try to help us. This is an issue important to Nevada and we think other places. But I wanted to express my appreciation to Senator ENSIGN, who did most of the work on this issue.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CRAIG. 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. CRAIG. Madam President, let me also ask unanimous consent that I be allowed to speak as in morning business.

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

Mr. CRAIG. Madam President, I thank the chairman because of the activity we are involved in on the floor with the legislation that he is shepherding at this moment.

NUCLEAR ENERGY

Mr. CRAIG. Madam President, the reason I am speaking at this moment on the floor is that an event happened this week in Bonneville County, ID, in southeastern Idaho, that I think is significant not only to this Nation but ultimately to the world. A global nuclear service company selected that area of our country in my State to site a $2 billion uranium enrichment facility on a 400-acre farm west of Idaho Falls on Highway 20, a location that is very near the birthplace of global nuclear power and the nuclear industry. In 1951, the first light bulb was lit by nuclear power in Arco, ID. Of course, while that is a little known historical fact, the actual reactor itself is now a national historic location, so designated by the late President Lyndon Johnson a good number of years ago. Since that time forward, over 50 prototypes of nuclear reactors have been designed at the Idaho Nuclear Laboratory and our first nuclear plant for a submarine. In fact, I often laughingly say that out in a big bathtub in the middle of the high deserts of Idaho is a nuclear sub and that many who train to operate our nuclear Navy trained in Idaho. It was because of that significance and the relationship that Areva, this global company, could have with our national laboratory facilities that they sited this nuclear service company there and their enrichment plant.

Areva, the company, will employ, at a peak during construction, nearly 1,000 workers over an 8-year period. When operational, the plant will employ some 250 full-time workers, with a total annual salary of approximately $15 million. The plant will provide over $5 billion to the local economy of southeastern Idaho over the next 30 years.

The enrichment plant could be the first of many nuclear partnerships that Areva will have in the United States and with Idaho. The next generation nuclear plant being designed at the Idaho lab right now allows and puts Areva into an alliance relationship. UniStar, which some who track the nuclear industry know about, is looking at an opportunity in Idaho, and Areva and Constellation and other major energy companies of the world are involved in that. My colleagues have heard us talk about NGNP which, of course, is a nuclear global energy partnership. Once again, Areva is a part of that.

Over the last year, I, my staff, and the Idaho congressional delegation have worked with Areva. Because they showed interest in siting in Idaho or Washington or Ohio or New Mexico or Texas, we began to work with them to show them what Idaho had to offer, not only in a relationship with our national lab but a phenomenally talented workforce that is capable of doing the kind of work they need done. We worked very closely with the office of Gov. Butch Otter. As a result of those relationships, we began to work with the Idaho legislature to provide an economic incentives package for this kind of development. We also worked with

the Idaho Department of Commerce and Industry, with the city of Idaho Falls, ID, which has always had a very positive working relationship with the National Nuclear Laboratory that is located just miles from that city. Those are the kinds of partnerships the State of Idaho, the City of Idaho Falls, the Governor, the Idaho legislature, and the Idaho congressional delegation were able to put together that finally brought Areva to recognize the tremendous opportunity that rests in siting a world-class facility such as this in our State.

I mentioned a moment ago and got unanimous consent that Colin Jones be allowed on the floor if he chose. Colin is a fellow from the Idaho National Lab and he worked in a very close relationship with this company to make sure they had all the answers when they needed them to make this happen.

Now, why is all this significant? Right now, we are talking about climate change. We are talking about trying to rebuild an industry in our country and for the world that we nearly lost, and that is the nuclear industry. For 20 years, this country, for some reason, grew very fearful of the idea that we might advance generation of electricity by new nuclear plants, and we literally stopped. In so stopping it, we nearly lost the industry itself and the ability of the industry to build new nuclear reactors, tied with generating facilities for electrical purposes. Along came the growing concern of climate change and the emission of greenhouse gases and other environmental concerns that caused us, in many instances, to stop producing energy in the traditional ways we had produced it.

Nearly 60 percent of the energy in this country is produced by coal-fired generation facilities. Many of those today are emitters of CO_2, and there are some who believe it is the concentration of CO_2 in the Earth's atmosphere that may be causing an increased or an accelerated rate of warming of our globe.

While we are trying to make those changes, the rest of the world rushes headlong. In fact, China is a perfect example of bringing at least one new coal-fired plant on line per week to supply its growing energy and economic needs. We had always been criticized for being the larger emitter of greenhouse gas because we were 25 percent of the world economy. Now, China, a country that we didn't think would become the larger emitter for several years, this last June measured as the largest greenhouse gas-polluting Nation in the world.

My point is quite simple. The need for new environmental and clean energy technology today is absolutely critical, and building the infrastructure that can supply us with abundant energy is even more important.

If our country is going to continue to grow, it has to have an abundant supply of all sources of energy. We have seen what happened just in the last several months as we have watched prices of gas at the pump go up to the level they are today, the shudder that has gone out from the consuming public, and the political reaction in Washington as we chase ourselves in circles trying to find an excuse to blame somebody for the inaction of the Congress over the last 20 years in the area of production and refinement and the overall development of energy itself.

The reason Areva's decision to site a facility not just in Idaho but in this country—a uranium enrichment plant—is a process that is key toward building the fuel to supply a nuclear reactor because that one technology that is available today beyond wind, beyond solar, to supply clean energy to the market is nuclear. While Sun is intermittent and solar is intermittent, nuclear reactors supply a strong base load of electricity to the American grid.

While we struggle with the technologies for clean coal, while we look to build other technologies, the one we can build today in a very demanding energy market is nuclear. Yet in a nuclear conference in Chicago just this week Excelon and other companies that are major utilities said because of this whole new demand the price of building a nuclear reactor has doubled from maybe $4 billion per single plant to now $8 billion or $9 billion.

This is the bottom line: The cost of energy is going to continue to go up until we bring online the technologies and the infrastructure to supply those technologies to continue to build an abundant energy supply for our country. So that is why I came to the floor today to talk about what got announced in Idaho this Tuesday, and that was a world-class, $2 billion uranium enrichment plant by the Areva company and International Utilities.

I am proud of my State and all of the people in my State for the work they have done to accomplish this. I compliment them all and wanted them to be a part of the CONGRESSIONAL RECORD.

I yield the floor.

Mr. DODD. Madam President, I ask unanimous consent that there be 4 minutes of debate prior to a vote in relation to Durbin amendment No. 4715, as modified; that upon the use or yielding back of the time, the Senate proceed to vote in relation to the Durbin amendment, with no amendment in order to the amendment prior to the vote.

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

AMENDMENTS (NOS. 4724; 4725; 4727; 4728, AS MODIFIED; 4730; 4733, AS MODIFIED; 4735; 4736; 4711; AND 4706, AS MODIFIED FURTHER, TO AMENDMENT NO. 4707)

Mr. DODD. Madam President, I ask unanimous consent that the managers' amendment at the desk be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 4724

(Purpose: To study alternative approaches to ensure the future of the National Flood Insurance Program by requiring greater efficiency and financial accountability)

At the appropriate place, insert the following:

SEC. _____. FEASIBILITY STUDY ON PRIVATE REINSURANCE.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct and submit a report to Congress on—

(1) the feasibility of requiring the Director, as part of carrying out the responsibilities of the Director under the National Flood Insurance Program, to purchase private reinsurance or retrocessional coverage, in addition to any such reinsurance coverage required under section 1335 of the National Flood Insurance Act of 1968 (42 U.S.C. 4055), to underlying primary private insurers for losses arising due to flood insurance coverage provided by such insurers;

(2) the feasibility of repealing the reinsurance requirement under such section 1335, and requiring the Director, as part of carrying out the responsibilities of the Director under the National Flood Insurance Program, to purchase private reinsurance or retrocessional coverage to underlying primary private insurers for losses arising due to flood insurance coverage provided by such insurer; and

(3) the estimated total savings to the taxpayer of taking each such action described in paragraph (1) or (2).

AMENDMENT NO. 4725

(Purpose: To deny premium subsidies to homeowners who refuse to accept an offer of Federal assistance to alter or relocate their property in an effort to minimize future flood damages and costs)

On page 8, line 13, strike ''and''.

On page 8, line 16, strike ''policy.''.'' and insert the following: ''policy; and

''(3) any prospective insured who refuses to accept any offer for mitigation assistance by the Administrator (including an offer to relocate), including an offer of mitigation assistance—

''(A) following a major disaster, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); or

''(B) in connection with—

''(i) a repetitive loss property; or

''(ii) a severe repetitive loss property, as that term is defined under section 1361A.''.

AMENDMENT NO. 4727

(Purpose: To impose a civil penalty for noncompliance with certain reporting requirements)

On page 50, between lines 3 and 4, insert the following:

(4) FAILURE TO COMPLY.—A property and casualty insurance company that is authorized by the Director to participate in the Write Your Own program which fails to comply with the reporting requirement under this subsection or the requirement under section 62.23(j)(1) of title 44, Code of Federal Regulations (relating to biennial audit of the flood insurance financial statements) shall be subject to a civil penalty in an amount equal to $1,000 per day for each day that the company remains in noncompliance with either such requirement.

AMENDMENT NO. 4728, AS MODIFIED

(Purpose: To require clear and comprehensible disclosure of conditions, exclusions, and other limitations pertaining to flood insurance coverage)

At the end of title I, add the following:

SEC. 133. POLICY DISCLOSURES.

(a) IN GENERAL.—Notwithstanding any other provision of law, in addition to any other disclosures that may be required, each policy under the National Flood Insurance Program shall state all conditions, exclusions, and other limitations pertaining to coverage under the subject policy, regardless of the underlying insurance product, in plain English, in boldface type, and in a font size that is twice the size of the text of the body of the policy.

(b) VIOLATIONS.—Any person that violates the requirements of this section shall be subject to a fine of not more than $50K at the discretion of Director.

AMENDMENT NO. 4730

(Purpose: To provide 2 additional members to the Technical Mapping Advisory Council)

On page 25, line 11, strike ''; and'' and insert a semicolon.

On page 25, line 14, strike the period and insert a semicolon.

On page 25, between lines 14 and 15, insert the following:

(M) a representative of a State agency that has entered into a cooperating technical partnership with the Director and has demonstrated the capability to produce flood insurance rate maps; and

(N) a representative of a local government agency that has entered into a cooperating technical partnership with the Director and has demonstrated the capability to produce flood insurance rate maps.

AMENDMENT NO. 4733, AS MODIFIED

On page 34, between lines 14 and 15, insert the following:

(d) COMMUNICATION AND OUTREACH.—

(1) IN GENERAL.—The Director shall—

(A) work to enhance communication and outreach to States, local communities, and property owners about the effects of—

(i) any potential changes to National Flood Insurance Program rate maps that may result from the mapping program required under this section; and

(ii) that any such changes may have on flood insurance purchase requirements; and

(B) engage with local communities to enhance communication and outreach to the residents of such communities on the matters described under subparagraph (A).

(2) REQUIRED ACTIVITIES.—The communication and outreach activities required under paragraph (1) shall include—

(A) notifying property owners when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

(B) educating property owners regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

(C) educating property owners regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) for such properties and the contents of such properties;

(D) educating property owners about flood map revisions and the process available such owners to appeal proposed changes in flood elevations through their community; and

(E) encouraging property owners to maintain or acquire flood insurance coverage.

AMENDMENT NO. 4735

(Purpose: To modify the project for flood control, Big Sioux River and Skunk Creek, Sioux Falls, South Dakota)

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. BIG SIOUX RIVER AND SKUNK CREEK, SIOUX FALLS, SOUTH DAKOTA.

The project for flood control, Big Sioux River and Skunk Creek, Sioux Falls, South Dakota, authorized by section 101(a)(28) of the Water Resources Development Act of 1996 (110 Stat. 3666), is modified to authorize the Secretary to reimburse the non-Federal interest for funds advanced by the non-Federal interest for the Federal share of the project, only if additional Federal funds are appropriated for that purpose.

AMENDMENT NO. 4736

(Purpose: To ensure that the purchase price of flood insurance polices required to be purchased in areas of residual risk accurately reflects the level of flood protection provided by any levee, dam, or other man-made structure in such area)

On page 10, between lines 16 and 17, insert the following:

(3) ACCURATE PRICING.—In carrying out the mandatory purchase requirement under paragraph (1), the Director shall ensure that the price of flood insurance policies in areas of residual risk accurately reflects the level of flood protection provided by any levee, dam, or other the man-made structure in such area.

On page 31, after line 14 add:

''(v) The level of protection provided by man-made structures.''

On page 10, after line 16 insert:

(d)—upon decertification of any levee, dam, or man-made structure under the jurisdiction of the Army Corps of Engineers, the Corps shall immediately provide notice to the Director of the National Flood Insurance program.

(Amendment 4711 is printed in the RECORD of Wednesday, May 7, 2008.)

AMENDMENT NO. 4706, AS FURTHER MODIFIED

Strike section 131 and insert the following:

SEC. 131. FLOOD INSURANCE ADVOCATE.

Chapter II of the National Flood Insurance Act of 1968 is amended by inserting after section 1330 (42 U.S.C. 4041) the following new section:

''SEC. 1330A. OFFICE OF THE FLOOD INSURANCE ADVOCATE.

''(a) ESTABLISHMENT OF POSITION.—

''(1) IN GENERAL.—There shall be in the Federal Emergency Management Agency an Office of the Flood Insurance Advocate which shall be headed by the National Flood Insurance Advocate. The National Flood Insurance Advocate shall—

''(A) to the extent amounts are provided pursuant to subsection (n), be compensated at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code, or, if the Director so determines, at a rate fixed under section 9503 of such title;

''(B) be appointed by the Director without regard to political affiliation;

''(C) report to and be under the general supervision of the Director, but shall not report to, or be subject to supervision by, any other officer of the Federal Emergency Management Agency; and

''(D) consult with the Assistant Administrator for Mitigation or any successor thereto, but shall not report to, or be subject to the general supervision by, the Assistant Administrator for Mitigation or any successor thereto.

''(2) QUALIFICATIONS.—An individual appointed under paragraph (1)(B) shall have a background in customer service, or experience representing insureds, as well as experience in investigations or audits.

''(3) RESTRICTION ON EMPLOYMENT.—An individual may be appointed as the National Flood Insurance Advocate only if such individual was not an officer or employee of the Federal Emergency Management Agency with duties relating to the national flood insurance program during the 2-year period ending with such appointment and such individual agrees not to accept any employment with the Federal Emergency Management Agency for at least 2 years after ceasing to be the National Flood Insurance Advocate. Service as an employee of the National Flood Insurance Advocate shall not be taken into account in applying this paragraph.

''(4) STAFF.—To the extent amounts are provided pursuant to subsection (n), the National Flood Insurance Advocate may employ such personnel as may be necessary to carry out the duties of the Office.

''(5) INDEPENDENCE.—The Director shall not prevent or prohibit the National Flood Insurance Advocate from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena or summons during the course of any audit or investigation.

''(6) REMOVAL.—The President and the Director shall have the power to remove, discharge, or dismiss the National Flood Insurance Advocate. Not later than 15 days after the removal, discharge, or dismissal of the Advocate, the President or the Director shall report to the Committee on Banking of the Senate and the Committee on Financial Services of the House of Representatives on the basis for such removal, discharge, or dismissal.

''(b) FUNCTIONS OF OFFICE.—It shall be the function of the Office of the Flood Insurance Advocate to—

''(1) assist insureds under the national flood insurance program in resolving problems with the Federal Emergency Management Agency relating to such program;

''(2) identify areas in which such insureds have problems in dealings with the Federal Emergency Management Agency relating to such program;

''(3) propose changes in the administrative practices of the Federal Emergency Management Agency to mitigate problems identified under paragraph (2);

''(4) identify potential legislative, administrative, or regulatory changes which may be appropriate to mitigate such problems;

''(5) conduct, supervise, and coordinate—

''(A) systematic and random audits and investigations of insurance companies and associated entities that sell or offer policies under the National Flood Insurance Program, to determine whether such insurance companies or associated entities are allocating only flood losses under such insurance policies to the National Flood Insurance Program;

''(B) audits and investigations to determine if an insurance company or associated entity described under subparagraph (A) is negotiating on behalf of the National Flood Insurance Program with third parties in good faith;

''(6) conduct, supervise, and coordinate investigations into the operations of the national flood insurance program for the purpose of—

''(A) promoting economy and efficiency in the administration of such program;

''(B) preventing and detecting fraud and abuse in the program; and

''(C) identifying, and referring to the Attorney General for prosecution, any participant in such fraud or abuse;

''(7) identify and investigate conflicts of interest that undermine the economy and efficiency of the national flood insurance program; and

''(c) AUTHORITY OF THE NATIONAL FLOOD INSURANCE ADVOCATE.—The National Flood Insurance Advocate may—

''(1) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the Director which relate to administration or operation of the national flood insurance program with respect to which the National Flood Insurance Advocate has responsibilities under this section; including information submitted pursuant to Section 128 of this Act;

''(2) undertake such investigations and reports relating to the administration or operation of the national flood insurance program as are, in the judgment of the National Flood Insurance Advocate, necessary or desirable;

''(3) request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this section from any Federal, State, or local governmental agency or unit thereof;

''(4) request the production of information, documents, reports, answers, records (including phone records), accounts, papers, emails, hard drives, backup tapes, software, audio or visual aides, and any other data and documentary evidence necessary in the performance of the functions assigned to the National Flood Insurance Advocate by this section;

''(5) request the testimony of any person in the employ of any insurance company or associated entity participating in the National Flood Insurance Program, described under subsection (b)(5)(A), or any successor to such company or entity, including any member of the board of such company or entity, any trustee of such company or entity, any partner in such company or entity, or any agent or representative of such company or entity;

''(6) select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

''(7) obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for the rate of basic pay for a position at level IV of the Executive Schedule; and

''(8) to the extent and in such amounts as may be provided in advance by appropriations Acts, enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make such payments as may be necessary to carry out the provisions of this section.

''(d) ADDITIONAL DUTIES OF THE NFIA.—The National Flood Insurance Advocate shall—

''(1) monitor the coverage and geographic allocation of regional offices of flood insurance advocates;

''(2) develop guidance to be distributed to all Federal Emergency Management Agency officers and employees having duties with respect to the national flood insurance program, outlining the criteria for referral of inquiries by insureds under such program to regional offices of flood insurance advocates;

''(3) ensure that the local telephone number for each regional office of the flood insurance advocate is published and available to such insureds served by the office; and

''(4) establish temporary State or local offices where necessary to meet the needs of qualified insureds following a flood event.

''(e) OTHER RESPONSIBILITIES.—

''(1) ADDITIONAL REQUIREMENTS RELATING TO CERTAIN AUDITS.—Prior to conducting any audit or investigation relating to the allocation of flood losses under subsection (b)(5)(A), the National Flood Insurance Advocate may—

''(A) consult with appropriate subject-matter experts to identify the data necessary to determine whether flood claims paid by insurance companies or associated entities on behalf the national flood insurance program reflect damages caused by flooding;

''(B) collect or compile the data identified in subparagraph (A), utilizing existing data sources to the maximum extent practicable; and

''(C) establish policies, procedures, and guidelines for application of such data in all audits and investigations authorized under this section.

''(2) ANNUAL REPORTS.—

''(A) ACTIVITIES.—Not later than December 31 of each calendar year, the National Flood Insurance Advocate shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the activities of the Office of the Flood Insurance Advocate during the fiscal year ending during such calendar year. Any such report shall contain a full and substantive analysis of such activities, in addition to statistical information, and shall—

''(i) identify the initiatives the Office of the Flood Insurance Advocate has taken on improving services for insureds under the national flood insurance program and responsiveness of the Federal Emergency Management Agency with respect to such initiatives;

''(ii) describe the nature of recommendations made to the Director under subsection (i);

''(iii) contain a summary of the most serious problems encountered by such insureds, including a description of the nature of such problems;

''(iv) contain an inventory of any items described in clauses (i), (ii), and (iii) for which action has been taken and the result of such action;

''(v) contain an inventory of any items described in clauses (i), (ii), and (iii) for which action remains to be completed and the period during which each item has remained on such inventory;

''(vi) contain an inventory of any items described in clauses (i), (ii), and (iii) for which no action has been taken, the period during which each item has remained on such inventory and the reasons for the inaction;

''(vii) identify any Flood Insurance Assistance Recommendation which was not responded to by the Director in a timely manner or was not followed, as specified under subsection (i);

''(viii) contain recommendations for such administrative and legislative action as may be appropriate to resolve problems encountered by such insureds;

''(ix) identify areas of the law or regulations relating to the national flood insurance program that impose significant compliance burdens on such insureds or the Federal Emergency Management Agency, including specific recommendations for remedying these problems;

''(x) identify the most litigated issues for each category of such insureds, including recommendations for mitigating such disputes;

''(xi) identify ways to promote the economy, efficiency, and effectiveness in the administration of the national flood insurance program;

''(xii) identify fraud and abuse in the national flood insurance program; and

''(xiii) include such other information as the National Flood Insurance Advocate may deem advisable.

''(B) DIRECT SUBMISSION OF REPORT.—Each report required under this paragraph shall be provided directly to the committees identified in subparagraph (A) without any prior review or comment from the Director, the Secretary of Homeland Security, or any other officer or employee of the Federal Emergency Management Agency or the Department of Homeland Security, or the Office of Management and Budget.

''(3) INFORMATION AND ASSISTANCE FROM OTHER AGENCIES.—

''(A) IN GENERAL.—Upon request of the National Flood Insurance Advocate for information or assistance under this section, the head of any Federal agency shall, insofar as is practicable and not in contravention of any statutory restriction or regulation of the Federal agency from which the information is requested, furnish to the National Flood Insurance Advocate, or to an authorized designee of the National Flood Insurance Advocate, such information or assistance.

''(B) REFUSAL TO COMPLY.—Whenever information or assistance requested under this subsection is, in the judgment of the National Flood Insurance Advocate, unreasonably refused or not provided, the National Flood Insurance Advocate shall report the circumstances to the Director without delay.

''(f) COMPLIANCE WITH GAO STANDARDS.—In carrying out the responsibilities established under this section, the National Flood Insurance Advocate shall—

''(1) comply with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions;

''(2) establish guidelines for determining when it shall be appropriate to use non-Federal auditors;

''(3) take appropriate steps to assure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General as described in paragraph (1); and

''(4) take the necessary steps to minimize the publication of proprietary and trade secrets information.

''(g) PERSONNEL ACTIONS.—

''(1) IN GENERAL.—The National Flood Insurance Advocate shall have the responsibility and authority to—

''(A) appoint regional flood insurance advocates in a manner that will provide appropriate coverage based upon regional flood insurance program participation; and

''(B) hire, evaluate, and take personnel actions (including dismissal) with respect to any employee of any regional office of a flood insurance advocate described in subparagraph (A).

''(2) CONSULTATION.—The National Flood Insurance Advocate may consult with the appropriate supervisory personnel of the Federal Emergency Management Agency in carrying out the National Flood Insurance Advocate's responsibilities under this subsection.

''(h) OPERATION OF REGIONAL OFFICES.—

''(1) IN GENERAL.—Each regional flood insurance advocate appointed pursuant to subsection (d)—

''(A) shall report to the National Flood Insurance Advocate or delegate thereof;

''(B) may consult with the appropriate supervisory personnel of the Federal Emergency Management Agency regarding the

daily operation of the regional office of the flood insurance advocate;

''(C) shall, at the initial meeting with any insured under the national flood insurance program seeking the assistance of a regional office of the flood insurance advocate, notify such insured that the flood insurance advocate offices operate independently of any other Federal Emergency Management Agency office and report directly to Congress through the National Flood Insurance Advocate; and

''(D) may, at the flood insurance advocate's discretion, not disclose to the Director contact with, or information provided by, such insured.

''(2) MAINTENANCE OF INDEPENDENT COMMUNICATIONS.—Each regional office of the flood insurance advocate shall maintain a separate phone, facsimile, and other electronic communication access.

''(i) FLOOD INSURANCE ASSISTANCE RECOMMENDATIONS.—

''(1) AUTHORITY TO ISSUE.—Upon application filed by a qualified insured with the Office of the Flood Insurance Advocate (in such form, manner, and at such time as the Director shall by regulation prescribe), the National Flood Insurance Advocate may issue a Flood Insurance Assistance Recommendation, if the Advocate finds that the qualified insured is suffering a significant hardship, such as a significant delay in resolving claims where the insured is incurring significant costs as a result of such delay, or where the insured is at risk of adverse action, including the loss of property, as a result of the manner in which the flood insurance laws are being administered by the Director.

''(2) TERMS OF A FLOOD INSURANCE ASSISTANCE RECOMMENDATION.—The terms of a Flood Insurance Assistance Recommendation may recommend to the Director that the Director, within a specified time period, cease any action, take any action as permitted by law, or refrain from taking any action, including the payment of claims, with respect to the qualified insured under any other provision of law which is specifically described by the National Flood Insurance Advocate in such recommendation.

''(3) DIRECTOR RESPONSE.—Not later than 15 days after the receipt of any Flood Insurance Assistance Recommendation under this subsection, the Director shall respond in writing as to—

''(A) whether such recommendation was followed;

''(B) why such recommendation was or was not followed; and

''(C) what, if any, additional actions were taken by the Director to prevent the hardship indicated in such recommendation.

''(4) RESPONSIBILITIES OF DIRECTOR.—The Director shall establish procedures requiring a formal response consistent with the requirements of paragraph (3) to all recommendations submitted to the Director by the National Flood Insurance Advocate under this subsection.

''(j) REPORTING OF POTENTIAL CRIMINAL VIOLATIONS.—In carrying out the duties and responsibilities established under this section, the National Flood Insurance Advocate shall report expeditiously to the Attorney General whenever the National Flood Insurance Advocate has reasonable grounds to believe there has been a violation of Federal criminal law.

''(k) COORDINATION.—

''(1) WITH OTHER FEDERAL AGENCIES.—In carrying out the duties and responsibilities established under this section, the National Flood Insurance Advocate—

''(A) shall give particular regard to the activities of the Inspector General of the Department of Homeland Security with a view toward avoiding duplication and insuring effective coordination and cooperation; and

''(B) may participate, upon request of the Inspector General of the Department of Homeland Security, in any audit or investigation conducted by the Inspector General.

''(2) WITH STATE REGULATORS.—In carrying out any investigation or audit under this section, the National Flood Insurance Advocate shall coordinate its activities and efforts with any State insurance authority that is concurrently undertaking a similar or related investigation or audit.

''(3) AVOIDANCE OF REDUNDANCIES IN THE RESOLUTION OF PROBLEMS.—In providing any assistance to a policyholder pursuant to paragraphs (1) and (2) of subsection (b), the National Flood Insurance Advocate shall consult with the Director to eliminate, avoid, or reduce any redundancies in actions that may arise as a result of the actions of the National Flood Insurance Advocate and the claims appeals process described under section 62.20 of title 44, Code of Federal Regulations.

''(l) AUTHORITY OF THE DIRECTOR TO LEVY PENALTIES.—The Director and the Advocate shall establish procedures to take appropriate action against an insurance company, including monetary penalties and removal or suspension from the program, when a company refuses to cooperate with an investigation or audit under this section or where a finding has been made of improper conduct.

''(m) DEFINITIONS.—For purposes of this subsection:

''(1) ASSOCIATED ENTITY.—The term 'associated entity' means any person, corporation, or other legal entity that contracts with the Director or an insurance company to provide adjustment services, benefits calculation services, claims services, processing services, or record keeping services in connection with standard flood insurance policies made available under the national flood insurance program.

''(2) INSURANCE COMPANY.—The term 'insurance company' refers to any property and casualty insurance company that is authorized by the Director to participate in the Write Your Own program under the national flood insurance program.

''(3) NATIONAL FLOOD INSURANCE ADVOCATE.—The term 'National Flood Insurance Advocate' includes any designee of the National Flood Insurance Advocate.

''(4) QUALIFIED INSURED.—The term 'qualified insured' means an insured under coverage provided under the national flood insurance program under this title.

''(n) FUNDING.—Pursuant to section 1310(a)(8), the Director may use amounts from the National Flood Insurance Fund to fund the activities of the Office of the Flood Advocate in each of fiscal years 2009 through 2014, except that the amount so used in each such fiscal year may not exceed $5,000,000 and shall remain available until expended. Notwithstanding any other provision of this title, amounts made available pursuant to this subsection shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.''.

Mr. DODD. Madam President, I ask unanimous consent that no further amendments be in order except as provided in the previous agreement with respect to the McConnell and Reid amendments; that the previous order with respect to rollcall votes on Monday, May 12, be modified to reflect that the previously ordered votes occur on Tuesday, May 13, after the Senate convenes and following the opening sequence of events, there be 60 minutes of debate equally divided and controlled between the leaders, or their designees, prior to the commencement of the votes ordered under a previous order; that prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form; that after the first vote in the sequence, each succeeding vote be limited to 10 minutes in duration; that other provisions of the previous order remain in effect; provided further that if cloture is invoked on the motion to proceed to H.R. 980, then all postcloture time be yielded back, the motion to proceed be agreed to, and the motion to reconsider be laid upon the table.

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

Mr. DODD. Madam President, after the vote on the Durbin amendment, there will be no further votes today, no session on Friday, and no votes on Monday. Let me turn to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

AMENDMENT NO. 4715

Mr. DURBIN. It is my understanding that amendment No. 4715 is now pending.

The PRESIDING OFFICER. The Senator is correct.

Mr. DURBIN. And I have 2 minutes to speak?

The PRESIDING OFFICER. Yes.

Mr. DURBIN. Madam President, if I could say briefly, if you are in the process of remapping, for flooding purposes, a watershed area, this amendment says that until you have completed both sides of the river—and in my case both Illinois and Missouri—you don't increase flood insurance rates for one side of the river. So the entire watershed has to be mapped and completed before any new rates apply. This will not disadvantage either side of the river. It says they will all be announced at the same time.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Madam President, I think we are prepared to vote on the Durbin amendment.

The PRESIDING OFFICER. All time is yielded back.

Mr. DURBIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment, as modified, of the Senator from Illinois.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. CLINTON), the Senator from Illinois (Mr. OBAMA), the Senator from Washington (Mrs. MURRAY), and the Senator from Nevada (Mr. REID) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Nevada (Mr. ENSIGN), the Senator from

Arizona (Mr. MCCAIN), and the Senator from Virginia (Mr. WARNER).

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 68, nays 24, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—68

Akaka	Feinstein	Mikulski
Alexander	Graham	Murkowski
Baucus	Grassley	Nelson (FL)
Bayh	Gregg	Nelson (NE)
Bennett	Harkin	Pryor
Biden	Hatch	Rockefeller
Bingaman	Inouye	Salazar
Bond	Isakson	Sanders
Brown	Johnson	Schumer
Byrd	Kennedy	Sessions
Cantwell	Kerry	Shelby
Cardin	Klobuchar	Smith
Casey	Kohl	Snowe
Chambliss	Landrieu	Specter
Coleman	Lautenberg	Stabenow
Conrad	Leahy	Stevens
Corker	Levin	Tester
Cornyn	Lieberman	Voinovich
Craig	Lincoln	Webb
Dodd	Martinez	Whitehouse
Domenici	McCaskill	Wicker
Dorgan	McConnell	Wyden
Durbin	Menendez	

NAYS—24

Allard	Collins	Inhofe
Barrasso	Crapo	Kyl
Brownback	DeMint	Lugar
Bunning	Dole	Reed
Burr	Enzi	Roberts
Carper	Feingold	Sununu
Coburn	Hagel	Thune
Cochran	Hutchison	Vitter

NOT VOTING—8

Boxer	McCain	Reid
Clinton	Murray	Warner
Ensign	Obama	

The amendment (No. 4715), as modified, was agreed to.

Mr. DURBIN. Madam President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CARDIN. Madam President, I rise to speak today in favor of S. 2284, legislation that would reform and modernize the National Flood Insurance Program, NFIP. Congress created NFIP in 1968 in the wake of a series of terrible hurricanes, the worst of which was Hurricane Betsy, a storm that devastated New Orleans in 1965. After observing the ad hoc nature of disaster relief efforts, all of which came at taxpayer expense, Congress saw an urgent need for a better way to handle the risks and losses associated with flood damage.

NFIP, which is administered by the Federal Emergency Management Agency, FEMA, provided insurance to individuals living in flood-prone areas who weren't able to get private insurance. But it did much more. It required mapping to identify areas at risk for flooding and community floodplain mitigation and management measures to help prevent flood damage in the future.

The program has been important in my State of Maryland. According to the 2005 report of the Maryland Emergency Management Agency, Maryland is the third most vulnerable State in the Nation to flooding. More than 12 percent of land is designated under NFIP as a special flood hazard area. An estimated 68,000 Maryland homes and buildings are located within the flood plain, representing nearly $8 billion in assessed value. Nearly 64,000 Marylanders held NFIP policies as of February 2007, and in the hurricane seasons from 2002 to 2006, a span that included Hurricane Isabel, insured flood losses in Maryland totaled approximately $177 million.

The program appeared to work well for many years. The revenues brought in through insurance premiums covered payments made to individuals in the wake of flooding disasters. Today, the NFIP has been reported to save taxpayers over $1 billion annually in flood losses that, without the program, would be paid by the taxpayers in the form of emergency disaster relief. But the 2005 hurricane season, which brought Hurricanes Katrina, Rita, and Wilma, created a need on an entirely new scale, a scale that not only overwhelmed the program but exposed serious flaws in its design.

To pay out the estimated $19 billion in NFIP claims, the program had to borrow almost $18 billion from the U.S. Treasury. Government-subsidized premiums for certain policyholders, outdated flood insurance rate maps, and other program weaknesses undermined NFIP's ability to meet the demands created in the 2005 season. Those flaws have also created false incentives over the years, encouraging developers and homeowners to build and then rebuild in flood-prone and environmentally sensitive areas.

With the 2008 hurricane season less than a month away, we have to fix the program's flaws and put it back on sound financial footing. S. 2284 does just that, and I want to applaud Senators DODD and SHELBY and my other colleagues on the Senate Banking Committee for their excellent work.

First and foremost, S. 2284 restores the program's solvency by forgiving FEMA's debt to the Treasury. FEMA isn't able to repay it; the interest alone is approximately $900 million annually, equal to almost 40 percent of annual premium income. In order to keep rates affordable, we have to accept that loss and turn our attention to improving the program so it is better able to pay claims in the future.

S. 2284 takes several steps to make sure that the program's revenues will be sufficient to meet those future needs. The legislation moves several types of homeowners, who previously received subsidized rates, toward premiums that match their actual risk of flooding. It expands the categories of people who need to buy flood insurance to better reflect the categories of people actually at high risk. It includes provisions to encourage more homeowners, even those outside the highest risk areas, to buy insurance.

S. 2284 takes steps to ensure we know who is at high risk. It authorizes more money for FEMA to update and digitize the Nation's flood hazard maps. Most FEMA maps contain 30-year old data. Think of that. How many of us live in houses or even neighborhoods that were built in the last 30 years? Homeowners and officials can't make good decisions about risk and development based on such woefully outdated information.

At present, FEMA's map modernization program updates old maps by putting them in digital form without changing any of the information. So if you live in a house or on a street that only came into existence in the past 30 years or so, you wouldn't be on the old map or the new ''updated'' map. Maryland officials, to their credit, were among a handful of State and local officials nationwide who realized that mere digitization alone isn't enough, and they contributed their own time and data to update the content, as well. Those maps will all be completed over the next 5 years. I am proud of my State's emergency management officials for showing that initiative, and I am glad that this bill makes substantive improvement to flood plain maps the norm rather than the exception.

One of the biggest lessons we Marylanders learned in the wake of Hurricane Isabel in 2003 was that people didn't have good information about flood insurance. Some people who should have had insurance didn't. Some who had it didn't understand it, had too little coverage, or too much coverage.

S. 2284 will improve consumer education. It takes steps to ensure that all homeowners at high risk of flood damage participate in the program and that more homeowners know about the flood risks to their property and about the insurance options available to them. It requires every person who buys a home in an area of elevated flood risk to learn about that risk at their settlement and be given an opportunity to purchase insurance. It places the burden on lenders to make sure all people who need to have insurance actually get it. It would provide grant money to communities to conduct educational and outreach activities to encourage people to purchase flood insurance and learn what steps they can take to mitigate against flood damage. Last but not least, S. 2284 creates an Office of the Flood Insurance Advocate to assist policyholders with any problems they have with their NFIP claims.

Rates that reflect risk, better flood plain maps, more expansive participation, and better information: these changes will make the program self-sufficient once again. But even more important, by providing homeowners, communities, developers, and emergency management and planning officials with accurate information about flood risk and its associated costs, S. 2284 reverses some of the program's false incentives to build and live in disaster-prone areas.

When hurricane season starts this year, it will bring greater risk to many States, Maryland included. An April 2007 Intergovernmental Panel on Climate Change report found that global warming will result in more flooding through more intense hurricanes, reduced snow pack, and sea level rise. We are experiencing those changes today in Maryland.

We have over 4,000 miles of coastline, more than the State of California, and historic tide-gauge records show sea levels have risen one foot within Maryland's coastal waters over the last century. Due in part to naturally occurring regional land subsidence, Maryland is currently experiencing sea level rise at a rate nearly double the worldwide average. Thirteen charted islands and large expanses of those critical tidal wetlands in the Chesapeake Bay have already disappeared.

These changes make us more vulnerable to storm surges. Allstate Insurance, one of our largest insurers, announced this past year that it would stop writing new homeowners' policies in coastal areas of my State. The reason they won't give insurance to homeowners in coastal areas is because they say a warmer Atlantic Ocean will lead to more and stronger hurricanes hitting the Northeast.

It is critical that we shore up the National Insurance Flood Program so that it is ready to support Marylanders and all Americans in times of need. S. 2284 does that without increasing incentives to build in disaster-prone areas or destroy environmentally sensitive areas. That is a tough line to navigate, but this bill does it well. I am proud to offer my support.

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate enter into a period for morning business, with Senators allowed to speak for up to 10 minutes each.

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

The Senator from Wyoming is recognized.

ENERGY SECURITY

Mr. ENZI. Madam President, I recently returned from a trip around Wyoming. The focus of my trip was the need for change in our health care system. I have spoken about that issue on the floor of the Senate on a number of occasions, and while improving our Nation's health care system is essential, here today to speak on another issue of great importance to my constituents. That issue relates to our Nation's energy security. We have debated measures to tax one type of energy to provide tax incentives for other industries. We have debated, without success, the idea of opening up more of America to energy production and the Senate will eventually take up legislation related to climate change.

As we have had those debates, we have seen gas prices rise to record levels. We have passed a ''renewable fuels mandate'' that looks less encouraging with every new study that is released, and we have sent more and more money to countries that do not support our ideals of freedom and democracy.

Because of that, it is my intention here today to inject a little reality, a little common sense into the energy debate. I want us to take a realistic look at how we get there from here. The ''there'' is an America that produces more clean, renewable energy than we can possibly consume. The ''here'' and now is an America that is largely dependent on foreign governments for the energy we need, the energy we can't do without—the energy that is the lifeblood of our economy; the energy that makes our way of life possible. Where we find ourselves now is the hole that the failed planning of the past and realistic ideology has put us in. We have got to get out. We have got to get out for the sake of our children and for the sake of Americans who are struggling to pay their bills today.

For the most part, we can all agree on where we want to go. We want more clean energy. We want to import less foreign oil. We want improved energy efficiency. We can also agree that where we are is not acceptable. Its the road we travel, the pathway we take to a better future that we have been arguing about for decades. The arguments I have seen over the past dozen years or more center not on economic health of our Nation but on environmental health. OK. That is fine with me. We can talk about hydrogen fuel cells, solar panels and wind turbines and we should. All these energy sources and many other renewables are going to be a part of the solution, but overnight, they cannot replace the fuel sources we use today. The technology is not there. The infrastructure is not there, and the will of the American people to switch to different, more expensive fuel sources is not there. It is one thing to say, yes, let's go green, but it's another thing to pull the green out of your wallet to pay for it. Technology takes time to commercialize. Infrastructure takes time to build and the attitudes and willingness of many Americans to embrace a new energy market, a market that could be more expensive, will take time to occur.

What do we do until we get there? What do we do with the energy sources we have now? We make them better. We use them more efficiently. We make them clean. We make them green. And what is America's most readily accessible energy source that we already have the infrastructure in place to use? What is the 800-pound gorilla in the room that unfortunately so many of our political leaders are ignoring or worse yet, persecuting? It's coal.

When you turn on your computer, when you flick that light switch or turn on the television, it's probably powered by coal. Most of the energy we use to recycle the aluminum cans you put in the special bin on the curb, the glass, the metal, the plastic, well it comes from coal. And if you had an electric car now and wanted to plug it in to recharge, that energy would likely come from coal. Coal supplies more than 50 percent of our Nation's electricity and we have enough of it to last us for more than 225 maybe 500 years. Coal is what is going to pave the way to a completely renewable energy future. But its not going to be the coal you are picturing in your head right now. It's not going to be the black lump that Santa gives to ill-behaved kids on his list. It's not the dirty, dusty coal of Dickens' Victorian London. No, what I am talking about is plentiful clean coal that we use our ingenuity and our resources to turn into green coal.

You are worried about climate change and support the use of clean-burning natural gas. Good. Then you should support the projects underway right now that will convert coal into that natural gas or carbon sequestration of 50 percent of the carbon from coal, which makes coal just as ''clean'' as natural gas. We are developing technology to efficiently and cost-effectively convert coal into low carbon, low sulfur diesel, and to convert coal into low carbon gasoline so we can cancel those trips to Saudi Arabia where we have our hands out begging them to increase production of oil. Look, tomorrow we are not going to be able to jump into our hover car that is powered by common household trash. We need to develop what we have right now alongside the fuels of the future. Instead of running from coal, we should invest in its abundance, in its power and its potential. Instead of running from coal, America needs to run on coal, green coal.

George Washington Carver is one of my heroes for what he did with the peanut. He found over 300 ways that American farmers could use the peanut, including as soap, facial cream, shampoo and even ink. What we need now is a George Washington Carver of coal—and I believe several are out there right now ready to invent. They just need a little bit more encouragement instead of the ''can't do'' attitude that I hear from some opponents of coal.

Over the next few months, as we debate energy issues in the Senate, I will be talking with my colleagues about the need to develop the energy sources we will use in the future, some of which must be cleaner, more efficient versions of the energy sources we use today. We need all the energy we can get to power America, and I look forward to working on that solution.

I have been paying attention to what China is doing. They have figured out that the future power of the world is in energy, and they are buying it up anywhere they can. They are even buying U.S. coal.

But I wish to speak today in a little more detail on an issue that is affecting everyone in the Nation, and that issue is the rising price of gasoline and diesel fuel. The rising prices are disproportionately affecting my constituents in Wyoming, who are oftentimes forced to drive long distances to get to and from work, and then all over the country I am hearing from truckers, usually small company truckers who have a fixed contract to deliver a product and no fuel escalation clause. I expect, from a financial literacy situation, that they have learned something about that, but they are still tied into those and they are going broke doing what they agreed to do because of the cost of fuel. They are visiting with all of us.

The Senate needs to take up action, and there is an amendment before us that will help all Americans.

With Americans hurting, we need to do something—anything to reduce gasoline prices. But, instead of working on solutions for one of the single most important issues confronting the American people, the majority sticks its fingers in its ears and loudly sings campaign rhetoric chorus and verse. Last week, as oil shot up above $115 per barrel, we held one vote. We did not vote on Tuesday, Wednesday, Thursday or Friday. This week, we were out of session on Monday. This is not the way we should legislate when Americans cannot afford to fill up their tanks. We need to do something about energy and we need to do it now.

I am proud to be a cosponsor of the Domestic Energy Production Act of 2008 that was recently introduced by Senator DOMENICI. The legislation includes a number of important provisions that will have a positive effect on our Nation's energy situation. Some provisions are designed to help hard working consumers today. Other provisions have a long term impact that will make it so that we are not as dependent on oil barons in the Middle East and foreign dictators to get our energy.

There are a number of good provisions in this bill that will make a difference. The bill allows for the development of domestic energy sources that are currently off limits. A major reason we are seeing high prices is the lack of domestic energy supplies in the face of growing energy demands. It allows for responsible energy production in the Outer Continental Shelf and for limited, environmentally safe energy production in the Arctic National Wildlife Refuge. Allowing for this production will help us to lessen our imports of energy. What we produce in the United States we do not have to send money to other countries for.

The bill addresses the need to build new refineries. There is not enough refining capacity in the United States to handle the demand that we have. Yet our policies are so onerous that there has not been a new refinery built in the United States in more than 30 years. This needs to change, and the only way it will change is if we act to make the process for permitting a refinery more reasonable.

The bill addresses the need to fairly compensate States that allow for energy production to occur on their lands by repealing a provision to withhold 2 percent of the revenue States receive to pay for ''administrative costs.'' This provision is particularly harmful to Wyoming and must be repealed immediately. The Federal Government's actions toward the Sates regarding mineral royalties are the actions of a bully and a thief. I am standing up to this bully. I hope my colleagues will join me. Your State could be bullied next. Don't forget that.

This bill also addresses our Nation's need to find alternatives to oil by promoting coal to diesel fuel. Coal is our Nation's most abundant energy source and can be made into low sulfur diesel through a process that has been in existence for years. We need to build coal to diesel plants in the United States in order to increase our energy security and this bill has provisions to promote this important and much needed policy.

Any one of provisions I have mentioned will help our Nation's energy situation and we need to act now. If the majority doesn't like every part of it, that is fine. Let's get in there and pass the parts we can agree on. Let's change the parts we can't agree on. Let's throw some of the parts out. I was working on an 80 percent rule, figuring we can usually agree on 80 percent of anything and if we concentrate on the 80 percent, we can get it done and leave the other 20 percent to the pundits. But we need to get out there and pass the parts we agree on. We need to get something done.

There will be plenty of credit to go around. Congress cannot sit back and do nothing as American pocketbooks are bleeding. Right now, the credit for that has to go to the majority.

I hope all my colleagues join me in supporting the Domestic Energy Production Act of 2008, even though we do not get to vote on it tomorrow and we don't get to vote on it Monday. We are not going to get to vote on it until Tuesday. But we ought to be making some difference by Tuesday.

Like I say, we can revise it, we can change it, we can throw parts out, but we have got to do something. America is complaining about the price of gas. I understand that. I look forward to seeing everyone next week to make a difference for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

OFFSHORE DRILLING

Mr. NELSON of Florida. Madam President, next Tuesday—not Monday but Tuesday—we are going to have a series of votes and ultimately get to the final vote on the flood insurance bill. And miraculously, out of the air comes a couple of energy packages side by side that we are going to be voting on.

It is very interesting that in one of those energy packages, that being offered by the Senator from New Mexico, Mr. DOMENICI, it will have a provision for drilling in the Outer Continental Shelf. Now, we have gone through this drill about drilling several times, the last of which, I want to remind the Senate, when the pro drilling for oil forces wanted an additional 2 million acres in the Gulf of Mexico, which would go east in the eastern Gulf of Mexico headed straight toward Tampa, FL, we worked out something that would satisfy all of the parties; that they would not have 2 million acres but they would have 8 million acres—8 million acres, not 2 million acres. But it would be further to the south, not to the east and, therefore, would not harm the interests of Florida or the U.S. military.

I remind my colleagues that the U.S. military's largest testing and training area in the world is almost the entire Gulf of Mexico off of Florida. It is the pilot training for the new F–22 out of Tindale Air Force Base in Panama City. They have to have wide areas with which to do dog fighting, not at submach but at 1.5 mach, and the turning radius at 1.5 mach is extraordinary. When are you doing this with live fire exercises, you can imagine that you do not want anything down there on the surface of the water. By the way, that is also why all of the new F–35s, the new joint strike fighter pilot training, when that fighter is developed, will also be in that area.

It is also the reason the Navy now sends its squadrons down to the Key West Naval Air Station at Boca Chica, because when they lift off the runway at Boca Chica, in 2 minutes they are over restricted air space where they can do their pilot training. But it is also the area where we are testing some of our most sophisticated weapons systems, many of which are with live ordnance, and you simply cannot have oil rigs down there on the surface of the water where you are doing all of this in furtherance of the training and the testing in order to have the best military in the world.

Yet it is coming back. It is coming back again. Now this time it is a little easier for us because we etched it into law as to that additional lease area for drilling in the Gulf, and you have got to change the law. Until the last time, it had always been under a Presidential moratorium. So it will be more difficult for them to have to change this. But I bring this up because the attitude is tunnel vision about drill, drill, drill.

That is not how we are going to solve the problem. I mean, are we not going to wake up with $120 per barrel oil prices and, who knows, with the tight world oil market, if it is not going to keep going up?

And why is it at $120? We have had testimony here in the Senate from oil executives who say the typical supply-demand on the world market ought to

have the price of oil at $55 per barrel. If that testimony is accurate, why the difference then between $55 and $120?

I think part of the answer to that question is, you look at history. You see these spikes whenever there is an unsettling condition in the world. You saw that in the early 1970s in the oil embargo. You saw that again in the late 1970s with the Iranian capture of the American Embassy people and holding them hostage. You saw it again at the beginning of the 1990s with the first gulf war, when Saddam Hussein had moved on Kuwait. You have seen it again in this decade with the Iraq situation, and you see it now with the jitters about what is happening in the Middle East.

You see it also in the unsettling relationship we now have with the President of Venezuela, Hugo Chavez, who bombastically keeps threatening to cut off oil. Now, that is a hollow promise because we have the refineries that have to process his grade of crude. But over time he could change. Nevertheless, it unsettles the markets.

By the way, we get 14 percent of our oil daily, our daily consumption of oil, from Venezuela.

You see it also with regard to Nigeria. Mark my word. Nigeria is an accident waiting to happen with regard to the 12 percent of our daily consumption of oil that comes from Nigeria. And already the battery, the thievery, the kidnappings, all of that being done by criminal thugs, that is one threat. But I recall for the Senate the fact that in northern Nigeria, al-Qaida is ascending. So that is certainly one reason for the difference between what some people have testified that the supply and demand would have oil at $55, and instead it is at $120.

But there is another reason. That is the speculation on oil futures and bidding the price up that gets us to this point.

Now, I am giving all of this background to say, well, what do we do? Is the answer the tunnel vision or myopic vision of drill, drill, drill, or do we do what we know we have to do? And the question is, where is most of our oil consumed? It is in transportation. Where in transportation is most of the oil consumed? It is in our personal vehicles.

So why do we not get serious, as we had our first inkling that we are, by having more conservation with greater miles per gallon? We passed in this Senate 35 miles per gallon phased in all the way out until 2015.

In Japan today, they are running around in their cars at 50 miles per gallon. In Europe today, they have got an average of 43 miles per gallon. Why cannot America summon the political will to say we are going to do something different than what we have been doing in the past, and we are going to try to wean ourselves from dependence on foreign oil which makes up 60 percent of our daily consumption. If we had the political will, we could do it. And, of course, if we had the political will, we could not only do the miles per gallon, we would put the money into the research and development to ultimately get to cellulosic ethanol so we would not be making ethanol from what we need to eat, and instead we would be making it from fiber, from that which we throw away. If we summon the political will, we would get serious about conservation measures and renewable fuels such as wind and solar, all the more than we are now. We would get serious about a major R&D effort and pouring the money into it in order to start developing the engine of the future that does not depend on any kind of petrol, such as hydrogen, or perfecting these batteries so we can have an all-electric vehicle. That is what we would be doing if we summoned the political will. At the end of the day, that is what we are going to have to do. It is going to have to be the new President who does it.

On this subject I will close by saying, America has a historical tendency to drag its feet until we are abruptly shoved up against the wall and we have to do something, and you see this throughout our two centuries of history.

There was at a time, for example, during the Korean war, the Soviets had the high ground. Their MiGs could fly higher than our jets. Again in 1958 they had the high ground, because they put up the first satellite, Sputnik. Again in 1961 they had the high ground, when they put up Yuri Gagarin, the first human to orbit the Earth.

We did not even have a vehicle that was powerful enough until 10 months later when we put John Glenn in that flimsy Atlas that had a 20-percent chance of failure, and finally got up.

Again, they had the high ground when they rendezvoused, the first time in space, with two spacecraft. They beat us to that. But then America summoned the political will when the President said: We are going to the Moon in 9 years and return. And we did. And we have the high ground now.

Now it is another complete subject—I will not get into it—about how we could be losing that high ground with NASA, because NASA is not getting enough resources for all of the things it is trying to do and, therefore, it is not going to have a chance to achieve and keep that high ground if we do not. But I will save that one for next week.

ISRAEL'S 60TH ANNIVERSARY

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

(The remarks of Mr. WYDEN are printed in today's RECORD under ''Morning Business.'')

Mr. WYDEN. 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.

Ms. MURKOWSKI. I ask unanimous consent that the order for the quorum call be rescinded.

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

LAW OF THE SEA TREATY

Ms. MURKOWSKI. Madam President, many of us have come to the floor, certainly this past week—all this year—talking about increasing energy prices. There has been a lot of commentary about whom to blame. What do we do, how do we reduce the price of oil, how do we address the predicament we are in as a nation that is so very heavily dependent on energy for our economic strength? I have certainly done my share of talking about the need to increase domestic production of oil and gas, particularly in the State of Alaska. We believe we have great opportunities up there and can be doing more to address it. What we haven't had an opportunity to bring up in the debate is the potential for a vast reservoir of energy that is available to the United States in the Arctic, in the far north, and the fact that we could lose out to other nations if we are not more proactive in asserting our claims to these resources.

I have been on the floor many times talking about the Arctic Coastal Plain and the potential in ANWR. We believe there is anywhere between 10 to 16 billion barrels of economically recoverable oil, the largest remaining onshore petroleum field in North America. But even further to the north, beyond ANWR, off the coast of Alaska and beyond, this is where we believe an unquantifiable amount of resource may lie. It is estimated that the Arctic may hold 25 percent of the entire world's undiscovered oil and gas resources. It is enormous. That number is based on a 2000 assessment by the U.S. Geological Survey. In that survey, they only looked at a few of the Arctic basins. There is going to be a more detailed survey that will be out. The survey is currently underway. The projection is that the amount of 25 percent could be lower—that, in fact, the amount of oil and gas in the Arctic region could go significantly higher.

What is the problem with this situation? The fact is, we believe the potential in the Arctic under the ice may be enormous, but we have no legal claim as a nation to most of this oil or gas, unless the United States becomes a party to the convention on the law of the sea. I can tell you, if we are not willing to claim it, if we do not step up to claim it, others certainly will.

We had before the Foreign Relations Committee the Convention on the Law of the Sea. It was before us. We have had several hearings on it. It was reported favorably out of the committee on October 31 of last year by a committee vote of 17 to 4.

For those who are not familiar with the Law of the Sea Treaty, it allows, among other things, coastal states to exert sovereign rights to all living and nonliving resources within its exclusive economic zone out to 200 nautical

miles from its shores. Essentially, it is the Outer Continental Shelf. But, in addition, a nation can exert claim to an extended Outer Continental Shelf if it can show that its continental shelf extends beyond the 200-mile limit.

So last year, the Coast Guard Cutter *Healy* went up north beyond Alaska, up into the Arctic Ocean, to do a mapping of the ocean floor there, to determine where the extent of that continental shelf may extend.

Behind me I have a map or chart of the Arctic Ocean that was mapped by the Coast Guard Cutter *Healy* during this last season of exploration. What the expedition showed us was that the United States could potentially lay claim to an area about the size of the State of California as part of our extended continental shelf. But we cannot do that without being a party to the Convention on the Law of the Sea.

So to make it a little more real to the situation—and I know it is difficult to see the map—but what you have here is Alaska. It is upside down, but Alaska is at the top of the world, so we felt it should be located at this angle. Here is the State of Alaska, the Canadian border, all of Canada, Greenland, Norway, and then Russia up through here. The red dotted line indicates the limits of the permanent ice that you have. So much of what you see in the lighter area is continental shelf.

What you have with this line—that kind of follows in a very jagged way Russia—this is Russia's continental shelf claim. So they are essentially laying claim to this area from the Chukchi Sea, the East Siberian Sea, and down through here.

Norway has its extended continental shelf claim. Here is Norway. They have made a claim that their Outer Continental Shelf should allow them access to the resources up to this green line.

Well, what we have here with the yellow line is the Russian extended continental shelf area. So through their mapping, or their determination, they believe—the Russians believe—they could potentially lay claim to all of this area in to the coast of Russia.

Where it gets a little complicated is looking at the coastline of Alaska, recognizing that we have claim to 200 miles off the coast of Alaska, but with the mapping the Coast Guard Cutter *Healy* has brought back, it demonstrates we can potentially add an additional 100 miles offshore from our existing 200 miles of exclusive economic zone, theoretically putting Alaska's claim—and, therefore, the United States's claim—to an area that would be potentially on this side of the Canadian border and coming down through the Chukchi Sea, clearly overlapping where the Russians have submitted that they would have the potential for a claim.

So you need to kind of appreciate the dynamics you have here. We have mapping that indicates the U.S. continental shelf could extend out dramatically. When you talk about a mass, an area the size of the State of California, you would say that is hugely significant to us as a nation in terms of our potential for additional resource.

Now, I have shown you the lines on this map. There are some who object to ratification of the Law of the Sea Treaty and express concerns about sovereignty. But for those who are concerned about sovereignty, I would suggest that if we are not party to the Convention on the Law of the Sea, there is a good chance Russia's claim to the Arctic—which I have shown you, following this yellow line, which is substantial; it is about 45 percent of the Arctic Ocean—could be recognized cutting into what we believe to be our extended continental shelf.

Now, let's talk a little bit about the potential for the resources up there. It is estimated the area that Russia claims as its Arctic Ocean shelf—so this area in through here, as shown on the map—could hold 580 billion barrels of oil equivalent. And 90 billion of those barrels could be in the Chukchi Sea and the East Siberian Sea, so close in to the State of Alaska. That is 90 billion barrels of oil we have the potential to stake a claim to as well, but only, again, if we are party to the Convention on the Law of the Sea.

Now, some would take a look at this map and say: Well, Russia is not going to be able to get that. We all saw the cover of Time magazine last year when Russia took a little submarine down and basically planted a flag on the bottom of the seabed, staking claim. It got people's attention. I think folks looked at that and said: Well, they don't have any claim to that ocean seabed. On what do they base that? So you look at this map and say: There is no reason Russia has any greater claim to 45 percent of the Arctic Ocean anymore than the United States or Canada, so it is not going to happen.

But for those who would doubt Russia might have success with their claim, I would ask you to look at what has happened. Right now, you have a handful—probably, seven or eight—different nations that have submitted to the Commission on the Limits of the Continental Shelf their requests for extended continental shelf claim.

Russia submitted their claim back in 2001. Brazil is out there, and they submitted their claim in 2004. Australia submitted a claim in 2004, Ireland in 2005, New Zealand in 2006. You also have a joint submission by France, Ireland, Spain, and the United Kingdom that came about in 2006. Norway submitted their claim—that is going out this far, as shown on the map—in 2006. France has submitted a claim last year, as well as Mexico.

On April 21 of this year, the Commission on the Limits of the Continental Shelf confirmed that Australia's claim to an additional 2.5 million square kilometers of continental shelf beyond its existing exclusive economic zone was valid and has moved forward to allow for that extended claim.

Now, Australia's claim, again, was submitted in 2004. So the Commission on the Limits of the Continental Shelf is actually moving on these submissions. The claim Australia made—and, again, Australia is an island nation, so they clearly have a great deal they can say lies off their continental shelf area, but 2.5 million square kilometers of continental shelf has now been added to their jurisdiction. This is an area approximately five times the State of France. Now, for those of us who are thinking a little bit closer to home, that is three times the size of the State of Texas. So, again, the jurisdiction that has been extended to the nation of Australia, because of their claim to additional Outer Continental Shelf areas, is significant.

Martin Ferguson, who is Australia's Minister for Resources and Energy, noted that the Commission's findings ''demonstrates that Australia's effective engagement in law of the sea matters delivers results.''

Now, I mentioned nine submissions that have been submitted for extended continental shelf claims. All of these have been made since December of 2001, including Russia's claim to half the Arctic and the resources it holds. We see that Australia's claims have been accepted. I believe it is only a matter of time before other claims are accepted as well.

I believe—I believe very strongly—it is in the best interests of the United States to be able to submit our claims. We have the mapping. We can establish the extension of the shelf, again, to a considerable area—the size of the State of California. I believe it is incumbent upon us to assert our authority in this area and to have a seat at the table in determining the validity of the claims of the other nations.

If we think Russia should not be able to extend their jurisdiction out—as they have requested, with this pretty impressive yellow line—to 45 percent of the Arctic Ocean, we want to be able to sit at the table and say why we believe they should not have the ability to make that claim. Well, if we are not a party to the treaty, we are not sitting at the table, and we cannot contest the validity of the claims of other nations.

We have the opportunity to stake a claim to an area of the seabed that we believe—we believe very strongly—likely contains billions of barrels of oil. We have the research to demonstrate that the seabed is part of our extended continental shelf. But we cannot claim ownership of these resources without being a party to the Convention on the Law of the Sea.

There are plenty of other reasons why we should ratify this treaty—whether it is to ensure that our Navy has the ability to freely navigate in international waters; or to provide our maritime industries with the legal certainty they need to carry out their activities.

I believe, again, very strongly, the ratification of the convention is a

must. But I think we need to recognize that as we are kind of sitting back on this at this point in time, other nations are moving forward. They are making their claims to greater areas of the ocean and to its seabed. I do not think we should be left behind as a nation and lose out on significant potential energy reserves at a time when we all know that energy is at an incredible premium.

I will make the same statement I made in committee when we had the discussion on the Convention on the Law of the Sea. I urge my colleagues to support ratification of the Convention on the Law of the Sea and urge the Senate leadership to bring the treaty to the floor for a vote. With that, I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from South Carolina is recognized.

HEALTH CARE OPTIONS

Mr. DEMINT. Mr. President, we have many important issues in front of us. We have been talking a lot about energy this week, including the high cost of gasoline and problems with ethanol mandates and potential problems with the cost of electricity. As we look at ways to reduce pollution, certainly energy is important. We have also been dealing with flood insurance. There is no shortage of issues. But we know as we talk to our constituents around the country that at the top of their list of priorities is health insurance and health care and the ability to afford the policies that are out there.

We have differences of opinion in the Senate as to how to deal with the uninsured in our country today. There is one philosophy that believes the government needs to be more involved; we need to expand government control of health care. There is another philosophy of which I am a part which believes that our job in the Senate and in the Congress and in the Federal Government is to make freedom work for everyone, and that includes people having the freedom to own their own health insurance. We believe when people do not work for a company that offers health insurance, they should have guaranteed access to affordable health insurance policies that they can take from job to job. I am encouraged that Senator MCCAIN is on the side of freedom of choice and individual ownership of plans.

We know if we are going to make individual plans work, we need to address the high cost of insurance. We know that is the biggest impediment to getting coverage when that coverage is not offered through an employer. In fact, nearly two-thirds of the uninsured are the working poor, and they cite the high cost of insurance as the primary barrier to accessing health coverage. We can talk about the uninsured, and we can talk about the high cost of insurance, but we need to address the real causes of the high cost of insurance. We know if we look at the policies, if we talk to those who offer the policies—the insurance companies—we know that mandates, government mandates on those policies have a lot to do with the high cost of insurance.

States have passed more than 1,900 benefit mandates requiring insurance companies to cover everything from wigs to infertility treatments to acupuncturists to massage therapists. These may all be legitimate needs, but they are not legitimate mandates on insurance policies. When people are looking for a policy that meets their needs that they can afford, we cannot continue as governments—both State and Federal—to mandate that every policy cover every possible problem when individuals do not need those mandates to buy the policies they want. These mandates increase the cost of health insurance. According to the Congressional Budget Office, for every 1 percent increase in the cost of health insurance, 300,000 people lose their coverage.

A few States are getting the message that mandates make health insurance more expensive. There are at least 10 States that provide for mandate-lite policies which allow individuals to purchase a policy with fewer mandates and so are more tailored to their individual needs and financial situation. There are now at least 30 States that require a mandate's cost to be assessed before it is implemented. These States are getting the message. Mandates are pricing individuals out of the insurance market.

I have introduced legislation that addresses these growing problems. In December, Congressman JOHN SHADEGG of Arizona joined me in introducing the Health Care Choice Act. This legislation is important because it will allow consumers to shop for health insurance the same way they do for other insurance products. They can shop on line, by mail, over the phone, or in consultation with an insurance agent in their hometown.

Specifically, the bill would let insurers licensed in one State sell to individuals in the other 49 States. Most people are surprised that you can't do that now because in every other product category we can buy products not only in every State but all over the world. But with health insurance, we have taken a different tact, a tact that has made health insurance much more expensive because we allow a few insurance companies to monopolize the market in 50 individual States.

What we need is a national market for health insurance. Consumers will no longer be limited to picking only those policies that meet their State regulations and mandated benefits. Instead, they can examine the wide array of insurance policies qualified in one State and offered for sale in multiple States. This way, consumers can choose a policy that best suits their needs and their budget without regard to State boundaries. It makes a lot of common sense. Individuals looking for basic health insurance coverage can opt for a policy with a few benefits they need, and such a policy will be more affordable.

On the other hand, consumers who have an interest in a particular benefit such as infertility treatments will be able to purchase a policy that includes that benefit. Equally important, it creates incentives for insurance companies to offer innovative and customized insurance products, and it will reduce the number of Americans who have sought but have been unable to afford insurance coverage.

I am thrilled that Senator JOHN MCCAIN has made this legislation one of the cornerstones of his health insurance platform because health insurance coverage should not be dictated by State or Federal legislators. Families sitting around their kitchen tables should decide what their health insurance plan should cover. I believe Senator MCCAIN's plan to address the gross health care inequity in the Tax Code and to harness the power of the marketplace through the interstate competition of insurance products, through that, Americans will be able to find affordable health insurance that offers more choice and better coverage. We know this is true.

As we talk to insurance companies, if they were allowed to offer products for all 50 States under one set of regulations, or under 50 if they choose, if they are able to have a larger pool of members, they can spread the risk and lower the rates.

The Health Care Choice Act is a commonsense way to let freedom work for every American, to let the free enterprise system work in health insurance as it does in almost every other area of our lives. I encourage my colleagues to consider the Health Care Choice Act and to move away from this idea that more government control, more government mandates is actually going to help us get more Americans insured.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

(The remarks of Mr. COLEMAN are printed in today's RECORD under "Morning Business.")

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

(The remarks of Mr. BOND are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Missouri is recognized.

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

NOTICE OF PROPOSED RULEMAKING

Mr. BYRD. Mr. President, I ask unanimous consent that the attached from the Office of Compliance be printed in the RECORD today pursuant to section 304(b)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(b)(1)).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, April 16, 2008.

Hon. ROBERT C. BYRD
President Pro Tempore, U.S. Senate, Hart Office Building, Washington, DC.

DEAR SENATOR BYRD: Section 304(b)(1) of the Congressional Accountability Act of 1995 (CAA), 2 U.S.C. 1384(b)(1), requires that, with regard to the initial proposal of substantive regulations under the CAA, the Board ''shall publish a general notice of proposed rulemaking'' and ''shall transmit such notice to the Speaker of the House of Representatives and the President Pro Tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.''

The Board of Directors of the Office of Compliance is transmitting herewith the enclosed Notice of Proposed Rulemaking. The Board requests that the accompanying Notice be published in both the House and Senate versions of the Congressional Record on the first day on which both Houses are in session following receipt of this transmittal.

Any inquiries regarding the accompanying Notice should be addressed to Tamara E. Chrisler, Executive Director of the Office of Compliance, 110 2nd Street, S.E., Room LA–200, Washington, D.C. 20540; 202–724–9250, TDD 202–426–1912, tchr@loc.gov.

Sincerely,

SUSAN S. ROBFOGEL,
Chair, Board of Directors.

(Editor's note: The notice of Proposed Rulemaking is printed in the RECORD dated April 21, 2008, at page S3188)

BURMA

Mr. MCCONNELL. Mr. President, in these last days our sympathies have been stirred by the shocking images of suffering and loss that have come from Burma. Last week's cyclone was one of the most devastating in memory. The damage to Burma's infrastructure, to its cities and towns and villages, is staggering.

The human toll won't be known for weeks. As many as 100,000 are thought to be dead. Thousands more are unaccounted for and injured. And those who survived face grave challenges. By all accounts, potable water and food are scarce, increasing the threat of disease. And shelter is hard to find.

This kind of suffering tests our powers of comprehension. But the extent of the damage, combined with the already primitive economic conditions imposed by the Burmese regime and the regime's sluggish response to the storm, means this suffering will be far greater than it otherwise might have been and will last far longer than it otherwise would.

We have heard reports that little or no notice was given to the people about the severity of the storm. And while the U.S. and other donors have expressed a clear willingness to assist, the Burmese regime has continued to resist allowing outside donors, such as the U.S., in.

The U.S. has repeatedly demonstrated its willingness to help the victims of natural disasters. Our generous response to the 2004; tsunami is a tribute to generosity and compassion of Americans, as was our response to the flooding of Bangladesh in the early 1990s. We responded generously to the 1990 earthquake in the Philippines, an act of kindness that was met with deep gratitude. The U.S. has helped this region of the world again and again, and now we stand willing to help the people of Burma.

Precious time has been, and continues to be, wasted. Why? Because rather than focusing on preparations for the storm, the political leaders in Burma were focused on a sham constitutional referendum scheduled for this Saturday. While all of the energies of government were needed to prepare for relief efforts, the regime was thinking of solidifying its control over the country. Its only concession to the critics—as the extent of the dead, the missing, and the injured became known—was an agreement to postpone the referendum in certain parts of the country.

This is not the first time the Burmese regime has put the political risks of letting in outsiders over urgent humanitarian needs. In 2004, the same junta rejected foreign aid after the tsunami. The only difference this time is that the devastation to Burma and the Burmese people is on a much larger scale.

If Saturday's referendum were legitimate, its timing would be merely irresponsible and crass. Yet everything about this Saturday's referendum is a farce. The process leading up to it has been marked by oppressive measures that, of course, are not typically associated with free and open political debate. It's a crime, for instance, to criticize the document.

The substance of the constitution is also profoundly antidemocratic. It prohibits Aung San Suu Kyi, the leader of the party that won Burma's last free and democratic election, from holding high office. Former political prisoners and activists could find themselves unable to run for Parliament. And the Burmese military would control key ministries and hold a quarter of the seats in the national legislature.

This is not a constitution. This is a fig leaf to place over the junta's oppressive rule.

The people of Burma are already suffering from the tragedy of a terrible natural disaster. Now they are being forced to participate in a farce. Last week's cyclone revealed more than nature's power and life's fragility. It revealed, once again, the inhumanity of Burmese junta—not only in its disregard for the people suffering from the storm, but also in its callous insistence that, in the midst of so much suffering, a sham constitutional referendum validating its authority go forward.

This is a time of great sadness in Burma. It is also a time of renewed outrage at the oppressive regime that controls it. On occasion, the leaders of such regimes reveal their warped minds to the world. This is such a time. It's my hope the world will take notice.

Mr. SMITH. Mr. President, I rise today to address the terrible toll taken by the recent cyclone in Burma.

It is unimaginable to me that the people of Burma, already struggling under the weight of tyranny, could be expected to bear further hardship. The daily trudge for existence faced by the Burmese is heart-wrenching; and yet now their suffering has increased. On Saturday, May 3, their country was struck by a horrible cyclone, an unfortunately common occurrence in Southeast Asia. U.S. diplomats estimate the death toll from this storm could be as high as 100,000, victims of a 120 mph wind and a storm surge that has obliterated entire villages. The United Nations estimates that hundreds of thousands of people have been left without basic necessities such as food, potable water, and shelter.

The Burmese military regime has compounded this crisis through political repression, economic mismanagement, and xenophobia. But the tragedy of Burma's government cannot and should not blind us to the human suffering inflicted by this most recent disaster. The international community must take immediate steps to alleviate some of the worst deprivations of this humanitarian crisis. To this end, I am proud and humbled that two of our own Oregon institutions are leading the effort in bringing comfort to the afflicted. Northwest Medical Teams and Mercy Corps are closely engaged in collecting humanitarian donations and cooperating with local partners to help the survivors in Burma. I urge the government in Burma to accept the foreign assistance offered by these groups and others around the world.

I know I speak for all Oregonians—and indeed all Americans—when I say that our hearts go out to the survivors of this storm. We stand ready to help, and I sincerely thank all those who are donating their time and resources to help those stricken by this terrible disaster.

HONORING OUR ARMED FORCES

SERGEANT GLEN E. MARTINEZ

Mr. SALAZAR. Mr. President, I rise today to honor the life of Marine Sgt Glen Martinez and to share my deep sadness at the loss of one of our Nation's finest young men. Sergeant Martinez was on his second tour in Iraq, working to restore peace and security to Al Anbar province, when a roadside bomb tore through his vehicle, killing him and three other marines. He was 31 years old.7

Our thoughts and prayers are with Sergeant Martinez's wife Melissa, his parents Ron and Carol, his sister Lori, and her children Alexis and Spencer, his grandparents Isaac and Viola Martinez and Willard and Norma Martin, and all his friends and family. My heart also goes out to the community

of Monte Vista, CO, a small town in the San Luis Valley not far from my family's ranch. The close-knit community, where everyone is a neighbor, has lost a favorite son.

There was nothing, it seemed, that Glen Martinez couldn't do. In high school, he was a top student, a gifted musician, and a star athlete. He was the quarterback of the Monte Vista football team, competed for the State championship in wrestling, and led his baseball team. With college scholarship offers to choose from in all three sports, Glen accepted an academic and baseball scholarship at Ottawa University in Ottawa, KS. He graduated with a degree in mathematics in 2000, but continued his studies at Westwood College and then at the University of Colorado, in Boulder, where he took up a master's program in land surveying.

At each step, Glen earned honors, awards, and the admiration of those he met. He is remembered for his contagious smile, boundless energy, and a heart committed to service. In 2004, while living in Boulder, Glen determined he had an obligation to serve his country, and that he could contribute most by enlisting in the Marines. By donning the uniform, he joined a proud family tradition of service and followed in the footsteps of both his grandfathers, who served in World War II, and his father Ron, who was in the Air Force during the Vietnam war.

In the Marines, Glen quickly became a leader among those he served. He was a member of Combat Logistics Battalion-1, Combat Logistics Regiment-1, 1st Marine Logistics Group, out of Camp Pendleton. He rose rapidly to the rank of sergeant and, as with everything he did, earned recognition and awards for the quality of his service. He served with his wife Sgt Melissa Martinez, whom he met while training at Camp Pendleton. When Glen was killed, they were both in Al Anbar province, as part of an effort to keep the lid on the violence that once made the area among the most dangerous in Iraq.

It is hard to measure all that inspired Sergeant Martinez's service. He had a deep-rooted pride for his country and his community. He sensed an obligation to offer his talents to a cause greater than his own. And he was determined to rise to every challenge presented.

He shared what so many of our nation's great servicemembers and great leaders share—the sense, as President Woodrow Wilson described it, that ''the fortunes of a nation are confided to us.''

As World War I raged in Europe, President Wilson told the 1916 class at Annapolis that meeting this ''special obligation'' is perilous and difficult, but it also carries the highest reward: the honor and affection of their fellow citizens.

''You are going to live your lives under the most stimulating compulsion that any man can feel,'' President Wilson told the graduates, ''the sense, not of private duty merely, but of public duty also. And then if you perform that duty, there is a reward awaiting you which is superior to any other reward in the world. That is the affectionate remembrance of your fellow men—their honor, their affection. No man could wish for more than that or find anything higher than that to strive for. . . . I wish you Godspeed, and remind you that yours is the honor of the United States.''

Sergeant Martinez answered the call of his country with the dignity and honor President Woodrow Wilson extolled. Loved and respected by those with whom he served, his optimism and leadership could lift and inspire even in the most difficult circumstances. He was an irrepressible spirit and an extraordinary professional.

Sgt Glen Martinez's achievements in life are matched only by the depth of his sacrifice—and the void he leaves behind. To Glen's family and friends, I know no words that can ease the pain you feel. I hope that in time you will find consolation in your pride in Glen's service and in the knowledge that his country and his community are eternally grateful for all that he gave. He has honored the United States, and the United States will always honor him.

SPECIALIST RONALD J. TUCKER

Mr. President, I also rise today to honor the life and service of Army Specialist Ronald J. Tucker, of Fountain, CO. Specialist Tucker was killed in Baghdad last week, at the age of 21, when a bomb exploded near his patrol. He was assigned to 1st Battalion, 22nd Infantry Regiment, 4th Infantry Division, out of Fort Hood, TX.

Specialist Tucker grew up in the Pikes Peak region of Colorado and was a graduate of Fountain-Fort Carson High School. He was a hard-working, smart, good-humored young man with hopes of serving his country. In school, he devoted himself to his studies, but shared laughs and jokes with friends and teachers.

Ronald joined the Army just a few days after his 2005 graduation from high school. He trained to be a mortarman and, in 2006, was assigned to Fort Hood. He deployed earlier this year and was serving as an indirect fire infantryman in a unit that was working to calm the violence that has escalated in Baghdad over the last several weeks. Specialist Tucker worked tirelessly, courageously, and professionally to help bring calm to streets teeming with ethnic violence and to allow the Iraqi people to hope again.

Specialist Tucker followed in the footsteps of so many American soldiers who have honored their country with their service, and who General Douglas MacArthur regaled in a 1962 address to West Point soldiers for their selfless sacrifices and for their unflinching devotion to the protection of our Nation. ''Duty, honor, country,'' MacArthur told the young soldiers, ''Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be.''

These three words have been the creed of generation after generation of American soldiers. They help us understand the courage and fortitude of men like Ronald Tucker, who deployed thousands of miles from his family, lived in constant peril, and shouldered the responsibility for keeping other soldiers safe while securing a brighter future for Iraqi citizens.

Duty, honor, country. ''The code which those words perpetuate,'' said General MacArthur, ''embraces the highest moral law and will stand the test of any ethics or philosophies ever promulgated for the things that are right and its restraints are from the things that are wrong. The soldier, above all other men, is required to practice the greatest act of religious training—sacrifice . . . However hard the incidents of war may be, the soldier who is called upon to offer and to give his life for his country is the noblest development of mankind.''

Specialist Ronald Tucker embodied this creed: He donned the soldier's uniform at his first opportunity, he bravely entered the battlefield, and he offered and gave his life in service to his country. His is a debt we cannot repay.

To Ronald's mother Susan, his stepfather David, and to all his family and friends, I know no words that can ease the pain you are feeling. I hope that in time, however, the joy Ronald brought to all who knew him and your pride in his service will provide comfort and consolation. His country will always honor his sacrifice.

THE MATTHEW SHEPARD ACT OF 2007

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would strengthen and add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate violent crime that has occurred in our country.

On the night of April 4, 2008, a 17-year-old Black man was traveling by bus from Wilmington, DE, to New Castle, DE, when three White men engaged him in a physical altercation. David and Lloyd Walker, 27 and 23 years old respectively, were identified by witnesses and arrested, but their accomplice, known only as ''Ritchie,'' is still at large. According to police, the three men began to argue with the young man when he complained that they were bumping into him. When the 17-year-old man got off the bus, the three men followed and attacked him, yelling racial slurs and threatening to kill him. Police say David Walker stabbed the teen five times in the back, puncturing one of his lungs and inflicting more stab wounds on his forearm.

The three men fled the scene immediately after the stabbing. Both David and Lloyd Walker were charged with first-degree assault, possession of a deadly weapon during a felony, felony hate crime, and conspiracy.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. Federal laws intended to protect individuals from heinous and violent crimes motivated by hate are woefully inadequate. This legislation would better equip the Government to fulfill its most important obligation by providing the resources necessary to adequately investigate and prosecute violent crimes. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

WILD SKY WILDERNESS ACT

Mrs. MURRAY. Mr. President, I rise to celebrate a tremendous and hard-fought victory. Today, a week after this Congress approved it overwhelmingly, President Bush signed the public lands bill that includes my Wild Sky Wilderness Act. And I couldn't be more thrilled.

The path to creating the first wilderness in Washington State in more than 20 years has been long and sometimes rocky. But with the President's signature today, we have finally reached the top. Let me tell you, Mr. President, it feels great!

This wilderness designation means that over 106,000 acres of rolling hills, rushing rivers, and low-elevation forest in the Mt. Baker-Snoqualmie National Forest will be preserved for generations to enjoy. The bill has been the result of years of hard work by literally dozens of people in my home State of Washington who have been as passionate and excited about this bill as I have been. I could not be more proud of their hard work and enthusiasm. Even when progress seemed impossible, they never lost sight of their goal. They always believed that preserving this incredible land was possible. And this beautiful new wilderness is their reward.

When I spoke on the floor after the Wild Sky bill passed this body, I promised to return once it was signed and thank the many people who have worked so hard with me over the years to make the Wild Sky Wilderness a reality. So I want to begin by thanking Congressman RICK LARSEN. Nine years have passed since the first maps proposing this wilderness were unfurled at a meeting in my Seattle office. I have been working with Congressman LARSEN in the House for more than 7 years on the legislation. And I couldn't have asked for a better partner.

I would like to thank Chairman BINGAMAN and his staff—especially David Brooks and Bob Simon—for their help and unwavering support of Wild Sky throughout the years. I would like to thank Senator MARIA CANTWELL and Congressman JAY INSLEE for their work in steering Wild Sky through their committees. And thank you to all of the cosponsors from the Washington delegation.

Above all, I want to thank all of the people in Washington State who worked tirelessly to turn their vision into legislation and—finally into law. The following individuals have spent countless hours to make the Wild Sky Wilderness Area a reality: Mike Town, Tom Uniack, Larry Romans, Mark Lawler, Harry Romberg, Norm Winn, Don Parks, Charlie Raines, Jon Owen, John Leary, Michael Carroll, Rick McGuire, Bill and Sue Cross, Bob Hubbard, Conway Leovy, Mark Heckert, Kem Hunter, Aaron Reardon, Peter Jackson, Michelle Ackerman, Jennifer Ekstrom, Doug Scott, Bill Arthur, Doug Walker, Nalani Askov, Dave Sommers, Jennifer Stephens, and Cynthia Wilkerson; as well as Shannon Harps and Karen Fant, whose memories will live on through Wild Sky.

And last but not least, I would like to thank the staff members who have also put their hearts and souls into this bill: John Engber, Karen Waters, Doug Clapp, Jaime Shimek, Jeff Bjornstad, Evan Schatz, Alex Glass, Pete Weissman, Matt McAlvanah, Rick Desimone, Rachelle Hein, Christy Gullion, Carrie Desmond, Jennifer Talhelm, Rita Beal, Shawn Bills, Jill McKinnie, Christian Gunter, Louis Lauter, Michael Dabbs, Kim Johnston, Brandon Hall, Amanda Mahnke, Charla Neuman, Abby Levenshus, Tracy Nagelbush, Amit Ronen, and Joel Merkel.

Those of us who live in the Northwest are truly blessed to live so close to such breathtaking natural beauty. The people of Washington State have a great respect for our amazing natural heritage and millions of people spend their weekends hiking, camping, hunting, fishing, and rock-climbing in our many parks and wild lands.

The Wild Sky area is already a popular destination being enjoyed by hundreds of people from across western Washington. And today's wilderness designation means that their children and their grandchildren will be able to enjoy the land just as they do.

Today's designation is a gift to young families, lifelong outdoor enthusiasts, and everyone in between. And I am so glad to see this proposal over the finish line. Now I can't wait to lace up my tennis shoes and take those first steps into the Wild Sky Wilderness!

ADDITIONAL STATEMENTS

TRIBUTE TO MARGARET AITKEN

• Mr. BIDEN. Mr. President, Mark Twain once said: ''20 years from now you will be more disappointed by the things that you didn't do, than by the things you did do.'' Well, Mr. Twain had not met Margaret Aitken, the woman I wish to acknowledge today.

Margaret is the youngest of eight children—a born negotiator, advocate, and spirited woman who has dedicated her professional career to excellence in public service. She has served the people of Delaware and the U.S. Senate with distinction.

She began her career in the Senate as a press secretary on my staff at the young age of 27. She came to us with impeccable credentials from the county executive's team and the Department of Education. Her work ethic and energy are surpassed only by her keen wit and disarming use of humor.

Margaret's sense of justice is embedded in her character—a byproduct of her strong faith and commitment to family. Her professional constituency was well served by her 15 years in the public domain. However, Margaret recently decided that there was one constituency that needed her most of all. In August, she and her husband Chris became the proud parents of Ronan William Haggerty, and Margaret is now a full-time mom.

She understood the wisdom and the sentiment in Mark Twain's words and so—she will not be disappointed in hindsight. Margaret, a wordsmith herself, also took George Bernard Shaw to heart: ''Perhaps the greatest social service that can be rendered by anyone to this country and to mankind is to bring up a family.''

And so I say to you Margaret—bring up that family—in the image and likeness of the best hopes and expectations for a better world. Thank you for your service, goodness, loyalty, honor, and courage. You are a force unto yourself, and you are very appreciated.•

TRIBUTE TO VALORIA LOVELAND

• Ms. CANTWELL. Mr. President, today I wish to recognize Valoria Loveland, who recently stepped down from her position as the director of the Washington State Department of Agriculture. Ms. Loveland has worked in Washington State and local governments for the past 44 years, and she has recently retired to some well-deserved relaxation in her home of Pasco, WA.

Ms. Loveland's career in government began at the Franklin County Courthouse, where she worked before and while she was the county's treasurer. In 1992, she was elected to the State senate, where she swiftly rose to become the chair of the Ways and Means Committee, and the most powerful woman in the Washington State Legislature. After 8 years in the senate, and a brief 2-year break from government, Valoria was appointed director of the Washington State Department of Agriculture, where she served for the last 6 years. In her time as director, Washington's agricultural exports have risen to record highs, in large part, thanks to her leadership. Her multiple trips to China, Japan, and Mexico have extended numerous opportunities to Washington State growers, and I thank her for working towards opening those markets.

Throughout her career, Valoria Loveland has been known for her ability to get things done and solve problems. Never one to shy away from tough issues, her straightforward manner and tireless work ethic have earned her the respect of many.

Ms. Loveland's leadership will be sorely missed in Washington State, which has benefitted greatly from her years of service. I wish her well, and thank her for her dedication to the State of Washington.●

TRIBUTE TO CHIEF MASTER SERGEANT GLENN FREEMAN

● Mr. HAGEL. Mr. President, today I wish to praise CMSgt Glenn Freeman, U.S. Air Force, Retired, of Omaha, who was honored on April 26 by the National Guard Association of Nebraska with the Distinguished Service Award. Chief Freeman has worked in my Omaha office as senior aide for military and veterans affairs, assisting servicemembers and their families, for the past 11 years. He is receiving the award in recognition of his dedicated service to the Nebraska National Guard.

Glenn has served the State of Nebraska and our country in a manner that deserves high recognition and our deepest respect. He is a friend and has been invaluable to my office. Over the last 11 years, Glenn has helped thousands of Nebraska's military families with casework and veterans issues. Glenn is an American role model.

Chief Freeman, originally from Washington, DC, served in the Air Force for 30 years, retiring in 1985. His decorations include the Bronze Star Medal, three Meritorious Service Medals, four Air Force Commendation medals, and the Air Force Outstanding Unit Award with Combat V, Valor—Device. Chief Freeman served tours in Vietnam, Thailand, Guam, Newfoundland, Korea, Japan, and the Republic of the Philippines.

Prior to joining my staff, Chief Freeman was hospital service coordinator for disabled American veterans. As a senior aide to me, he continues to work closely with veterans service organizations while assisting veterans and military families across Nebraska.

Chief Freeman has served as president of the Omaha Chapter Freedoms Foundation at Valley Forge, a nonprofit organization which seeks to preserve American ideals and principles by helping students become responsible and active citizens. He has additionally served on the Omaha Civil Rights Advisory Committee and as chairman of the Douglas County Republican Party and the Republican Forum. He delivers college lectures across Nebraska as a recognized scholar on the American political process and the U.S. Constitution.●

IN RECOGNITION OF DANNY WOODHEAD

● Mr. NELSON of Nebraska. Mr. President, today I pay tribute to a young Nebraskan who recently became a member of the New York Jets, after completing a remarkable 4-year run into the National Collegiate Athletic Association, NCAA, record books as the all-time leading rusher at any level of college football.

Danny Woodhead, a senior tailback for Chadron State College in Nebraska, completed his college football career with 7,962 yards rushing to top the previous all-division record by more than 600 yards.

It is not the only NCAA record set by this native son from North Platte, NE. During the 2006 season, Danny set the single-season record for rushing for all NCAA divisions as he rushed for 2,756 yards on 344 carries. He became the first player in NCAA history to ever rush for more than 2,700 yards in a season.

Danny Woodhead also ranks second in the Nation in career all-purpose yardage, with 9,479 yards. His 109 career touchdowns tie the NCAA record, and his 654 career points rank him second.

For his outstanding football achievements, Danny Woodhead was awarded the Harlon Hill Trophy for the second year in a row. Similar to the Heisman, the Harlon Hill Trophy is given annually to the college football player of the year in NCAA Division II.

The State of Nebraska has a storied college football tradition; but no one has ever witnessed a running back compile the prodigious statistics that Danny Woodhead, a math education major, did during his career with the Eagles. Although he played for a small college in a rural state, his abilities caught the attention of the sporting world.

The people of Nebraska are proud of Danny Woodhead and his remarkable achievements, and we look forward to watching him pursue his dreams in football and beyond.●

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.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 9:33 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 bill:

H.R. 3522. An act 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.

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

ENROLLED BILL SIGNED

The President pro tempore (Mr. BYRD) announced that on today, May 8, 2008, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5919. An act to make technical corrections regarding the Newborn Screening Saves Lives Act of 2007.

At 12:55 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, in which it requests the concurrence of the Senate:

H.R. 5937. An act to facilitate the preservation of certain affordable housing dwelling units.

The message also announced that pursuant to section 1853(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110–53), and the order of the House of January 4,2007, the Speaker appoints the following members on the part of the House of Representatives to the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism: Mr. Timothy J. Roemer of Great Falls, Virginia, and Ms. Wendy R. Sherman of Bethesda, Maryland.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5937. An act to facilitate the preservation of certain affordable housing dwelling units; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2991. A bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Select Committee on Intelligence, without amendment:

S. 2996. 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, and for other purposes (Rept. No. 110–333).

By Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, without amendment:

S.J. Res. 28. A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership (Rept. No. 110–334).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 537. A resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

*Alejandro Modesto Sanchez, of Florida, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring October 11, 2010.

*Gordon James Whiting, of New York, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2010.

*Andrew Saul, of New York, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2008.

*Andrew Saul, of New York, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2012.

*Nanci E. Langley, of Virginia, to be a Commissioner of the Postal Regulatory Commission for a term expiring November 22, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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 Ms. KLOBUCHAR (for herself, Mr. ENZI, Mr. HARKIN, and Mr. DURBIN):

S. 2993. A bill to amend the Public Health Service Act to facilitate emergency medical services personnel training and certification curriculums for military veterans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself, Mr. VOINOVICH, Ms. STABENOW, Mr. OBAMA, Mr. BROWN, Mrs. CLINTON, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 2994. A bill to amend the Federal Water Pollution Control Act to provide for the remediation of sediment contamination in areas of concern; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mrs. FEINSTEIN):

S. 2995. A bill to amend the Commodity Exchange Act to enhance oil trading transparency; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER:

S. 2996. 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, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. LAUTENBERG (for himself, Mr. STEVENS, and Mr. SMITH):

S. 2997. A bill to reauthorize the Maritime Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida (for himself, Ms. SNOWE, Mr. KERRY, and Mr. MARTINEZ):

S. 2998. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mr. SPECTER, and Mr. WHITEHOUSE):

S. 2999. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require group and individual health insurance coverage and group health plans to provide coverage for individuals participating in approved cancer clinical trials; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 3000. A bill to amend title 38, United States Code, to include Federally recognized tribal organizations in certain grant programs of the Department of Veterans Affairs for the several States and territories, 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. ENZI (for himself, Mr. NELSON of Florida, Mr. WICKER, and Mr. NELSON of Nebraska):

S. Res. 555. A resolution recognizing the 100th anniversary of the founding of the Congressional Club; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. BURR, Mr. VITTER, Mr. GREGG, Mr. SUNUNU, Mr. ALLARD, Mr. ISAKSON, and Mr. CARPER):

S. Res. 556. 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; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mrs. HUTCHISON, Mr. BAUCUS, Mr. BIDEN, Mr. CARPER, Mrs. CLINTON, Mr. DORGAN, Mr. DURBIN, Mr. KERRY, Mr. MENENDEZ, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. WYDEN, Mr. DOMENICI, Ms. SNOWE, Mr. CRAPO, Mr. COCHRAN, Mr. SPECTER, Mr. LIEBERMAN, Mr. BAYH, and Mr. BROWN):

S. Res. 557. A resolution supporting the goals and ideals of National Train Day; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 394

At the request of Mr. AKAKA, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 394, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes.

S. 573

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 717

At the request of Mr. AKAKA, the name of the Senator from Missouri (Mrs. MCCASKILL) 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. 911

At the request of Mr. REED, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 911, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 1067

At the request of Mr. OBAMA, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1067, a bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes.

S. 1963

At the request of Mr. ROCKEFELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1963, a bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds.

S. 2161

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr.

ROBERTS) was added as a cosponsor of S. 2161, a bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of independent pharmacies and health plans and health insurance issuers (including health plans under parts C and D of the Medicare Program) in the same manner as such laws apply to protected activities under the National Labor Relations Act.

S. 2173

At the request of Mr. HARKIN, the names of the Senator from Montana (Mr. TESTER), the Senator from Vermont (Mr. SANDERS) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 2173, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 2182

At the request of Mr. REED, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2182, a bill to amend the Public Health Service Act with respect to mental health services.

S. 2227

At the request of Mr. OBAMA, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2227, a bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in high school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle school models for struggling students, and for other purposes.

S. 2433

At the request of Mr. OBAMA, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2433, a bill to require the President to develop and implement a comprehensive strategy to further the United States foreign policy objective of promoting the reduction of global poverty, the elimination of extreme global poverty, and the achievement of the Millennium Development Goal of reducing by one-half the proportion of people worldwide, between 1990 and 2015, who live on less than $1 per day.

S. 2479

At the request of Mr. BROWN, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 2479, a bill to catalyze change in the care and treatment of diabetes in the United States.

S. 2511

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2511, a bill to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship.

S. 2523

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2544

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2544, a bill to provide for a program of temporary extended unemployment compensation.

S. 2559

At the request of Mr. DODD, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2559, a bill to amend title II of the Social Security Act to increase the level of earnings under which no individual who is blind is determined to have demonstrated an ability to engage in substantial gainful activity for purposes of determining disability.

S. 2565

At the request of Mr. BIDEN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2565, a bill to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers.

S. 2756

At the request of Mr. BIDEN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2756, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Alaska (Mr. STEVENS) 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. 2884

At the request of Ms. COLLINS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2884, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 2938

At the request of Mr. GRAHAM, the name of the Senator from Idaho (Mr. CRAIG) 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 Oregon (Mr. SMITH), the Senator from Oregon (Mr. WYDEN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. 2979

At the request of Mr. KERRY, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2979, a bill to exempt the African National Congress from treatment as a terrorist organization, and for other purposes.

S. 2991

At the request of Mr. KOHL, his name was added as a cosponsor of S. 2991, a bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

S. RES. 537

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), the Senator from Utah (Mr. HATCH), the Senator from Delaware (Mr. BIDEN), the Senator from Maryland (Mr. CARDIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. BAUCUS) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 537, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

AMENDMENT NO. 4718

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 4718 intended to be proposed to S. 2284, an original bill to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. NELSON of Florida (for himself, Ms. SNOWE, Mr. KERRY, and Mr. MARTINEZ:)

S. 2998. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, prepaid telephone calling cards

are used by many Americans to stay in touch with loved ones around the country and throughout the world. Unfortunately, some providers and distributors of these cards are scamming consumers—by imposing undisclosed junk fees, charging exorbitant rates, and selling cards that expire shortly after consumers start using them.

Over the past couple of years, a number of State Attorneys General and the Federal Trade Commission have opened investigations and found that a number of providers and distributors are engaging in unfair and deceptive business practices. These practices include charging customers for calls where they receive busy signals, imposing weekly ''maintenance fees'' that may take away up to 20 percent of the card's overall value, and billing for calls in 3-minute increments.

As a result of these investigations, some companies have been fined or have entered into consent decrees forbidding them from engaging in some deceptive practices. In addition, some states—including Florida—have imposed certain regulatory requirements on prepaid calling card providers and distributors. To date, however, neither the Federal Communications Commission nor the Federal Trade Commission has taken any action to impose upfront nationwide consumer protection requirements on this industry. This lack of Federal standards allows many of these unscrupulous operators to move from State to State, and create new ''shell companies'' to escape consumer protection regulations. This is wrong, and I think we need to fix this situation.

That is why I rise today to introduce the Prepaid Calling Card Consumer Protection Act of 2008.

The Prepaid Calling Card Consumer Protection Act of 2008 requires the Federal Trade Commission to draft comprehensive rules requiring all prepaid telephone calling card providers and distributors to disclose the rates and fees associated with their calling cards upfront, at the point of sale. It also requires providers who market their cards in languages other than English to disclose rates and fees in that language as well. Furthermore, the legislation requires providers to honor the cards for at least a year after the time the card is first used.

To enforce these disclosure requirements, the bill gives the Federal Trade Commission, State Attorneys General, and State consumer protection advocates the ability to sue the fraudsters who violate these requirements in Federal court. In addition, the law expressly preserves additional state consumer protection requirements—such as state utility commission certification or bonding requirements.

I invite my colleagues to join with Senators SNOWE, KERRY, MARTINEZ and myself in supporting the Prepaid Calling Card Consumer Protection Act of 2008. We should waste no time in ensuring that military servicemembers, seniors, immigrants and other Americans using these prepaid telephone calling cards are protected from bad actors in the marketplace.

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. 2998

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 ''Prepaid Calling Card Consumer Protection Act of 2008''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) FEES.—

(A) IN GENERAL.—The term ''fees'' means all charges, fees, taxes, or surcharges, including connection, hang-up, service, payphone, and maintenance charges, which may be applicable to the use of a prepaid telephone calling card or a prepaid telephone calling service used by a consumer for calls originating within the United States.

(B) EXCLUSION.—The term ''fees'' does not include the applicable per unit or per minute rate for the particular destination called by a consumer.

(3) INTERNATIONAL PREFERRED DESTINATION.—The term ''international preferred destination'' means a specific international destination named on a prepaid telephone calling card or on the packaging material accompanying a prepaid telephone calling card.

(4) PREPAID TELEPHONE CALLING CARD.—

(A) IN GENERAL.—The terms ''prepaid telephone calling card'' and ''card'' mean any right of use purchased in advance for a sum certain linked to an access number and authorization code that enables a consumer to use a prepaid telephone calling service. Such rights of use may be embodied on a card or other physical object or may be purchased by an electronic or telephonic means through which the purchaser obtains access numbers and authorization codes that are not physically located on a card or other physical object.

(B) EXCLUSION.—The terms ''prepaid telephone calling card'' and ''card'' do not include cards or other rights of use that provide access to—

(i) a telecommunications service with respect to which the card or other rights of use and the telecommunications service are provided for free or at no additional charge as a promotional item accompanying a product or service purchased by a consumer; or

(ii) a wireless telecommunications service account with a wireless service provider that the purchaser has a preexisting relationship with or establishes a carrier-customer relationship with via the purchase of a prepaid wireless telecommunications service handset package.

(5) PREPAID TELEPHONE CALLING CARD DISTRIBUTOR.—

(A) IN GENERAL.—The term ''prepaid telephone calling card distributor'' means any entity, corporation, company, association, firm, partnership, or person that purchases prepaid telephone calling cards or services from a prepaid telephone calling card distributor or prepaid telephone calling service provider and sells, resells, issues, or distributes prepaid telephone calling cards for a fee to 1 or more distributors of such cards or to 1 or more retail sellers of such cards.

(B) EXCLUSION.—The term ''prepaid telephone calling card distributor'' does not include any retail merchants or sellers of prepaid telephone calling cards exclusively engaged in point-of-sale transactions with end-user customers.

(6) PREPAID TELEPHONE CALLING SERVICE.—

(A) IN GENERAL.—The terms ''prepaid telephone calling service'' and ''service'' mean any telecommunications service, paid for in advance by a consumer, that allows a consumer to originate voice telephone calls through a local, long distance, or toll-free access number and authorization code, whether manually or electronically dialed.

(B) EXCLUSION.—The terms ''prepaid telephone calling service'' and ''service'' do not include any service that provides access to a wireless telecommunications service account wherein the purchaser has a preexisting relationship with the wireless service provider or establishes a carrier-customer relationship via the purchase of a prepaid wireless telecommunications service handset package.

(7) PREPAID TELEPHONE CALLING SERVICE PROVIDER.—The term ''prepaid telephone calling service provider'' means any entity, corporation, company, association, firm, partnership, or person providing prepaid telephone calling service to the public using its own, or a resold, telecommunications network or voice over Internet technology.

(8) WIRELESS TELECOMMUNICATIONS SERVICE.—The term ''wireless telecommunications service'' has the meaning given the term ''commercial mobile service'' in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d)).

SEC. 3. REQUIRED DISCLOSURES OF PREPAID TELEPHONE CALLING CARDS OR SERVICES.

(a) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Commission shall prescribe regulations that require every prepaid telephone calling service provider and prepaid telephone calling card distributor to disclose, with respect to the terms and conditions of a prepaid telephone calling card or service provided, sold, resold, issued, or distributed by such service provider or distributor, as the case may be, the following:

(1)(A) The number of calling units or minutes of domestic interstate calls provided by such card or service at the time of purchase; or

(B) the dollar value of such card or service and the domestic interstate rate per minute provided by such card or service at the time of purchase.

(2) The applicable calling unit or per minute rates for all international preferred destinations served by such card or service.

(3) The applicable per minute rates for all individual international destinations served by such card or service.

(4) That the rates described in paragraph (3) may be obtained through the prepaid telephone calling card provider's toll-free customer service number or Internet website.

(5) All terms and conditions pertaining to the use of such card or service, including the following:

(A) The maximum amount and frequency of all fees.

(B) Applicable policies relating to refund, recharge, decrement, and expiration.

(C) Limitations, if any, on the use or period of time for which the displayed, promoted, or advertised minutes or rates will be available to the customer.

(6) The name and address of such service provider.

(7) A toll-free telephone number to contact the customer service department of such service provider and the hours of service of such customer service department.

(b) CLEAR AND CONSPICUOUS DISCLOSURE OF REQUIRED INFORMATION AND LANGUAGE REQUIREMENTS.—The regulations prescribed under subsection (a) shall include requirements as follows:

(1) CARDS.—In the case of a prepaid telephone calling card, the disclosures described in subsection (a) (other than paragraph (3) of such subsection) shall be printed in plain English in a clear and conspicuous location on each prepaid telephone calling card or the packaging of such card so that such disclosures are plainly visible to a consumer at the point of sale.

(2) ONLINE SERVICES.—In the case of a prepaid telephone calling service that consumers access and purchase via the Internet, the disclosures described in subsection (a) (other than paragraph (4) of such subsection) shall be displayed in plain English in a clear and conspicuous location on the Internet site from which the consumer purchases such service.

(3) ADVERTISING AND OTHER PROMOTIONAL MATERIAL.—The disclosures described in subsection (a) (other than paragraph (3) of such subsection) shall be printed on any advertising for the prepaid telephone calling card or service, including on any signs for display by retail merchants, any promotional emails, any Internet site used to promote such card or service, and on any other promotional material.

(4) LANGUAGES OTHER THAN ENGLISH.—If a language other than English is predominantly used on a prepaid telephone calling card or its packaging, or in the point-of-sale advertising, Internet advertising, or promotional material of a prepaid telephone calling card or prepaid telephone calling service, than the disclosures required by the regulations prescribed under subsection (a) shall be disclosed in that language on such card, packaging, advertisement, or promotional material in the same manner as if English were used.

(c) ADDITIONAL REGULATIONS.—The Commission may, in accordance with section 553 of title 5, United States Code, prescribe such other regulations as the Commission determines are necessary to protect consumers of prepaid telephone calling cards and services.

SEC. 4. UNLAWFUL CONDUCT RELATED TO PREPAID TELEPHONE CALLING CARDS.

(a) PREPAID TELEPHONE CALLING SERVICE PROVIDER.—It shall be unlawful for any prepaid telephone calling service provider to do any of the following:

(1) UNDISCLOSED FEES AND CHARGES.—To assess or deduct from the balance of a prepaid telephone calling card any fee or other amount for use of the prepaid telephone calling service, except—

(A) the per minute rate or value for each particular destination called by the consumer; and

(B) fees that are disclosed as required by regulations prescribed under section 3.

(2) MINUTES AND RATES AS PROMOTED AND ADVERTISED.—With respect to a prepaid telephone calling card for a service of the prepaid telephone calling service provider, to provide fewer minutes than the number of minutes promoted or advertised, or to charge a higher per minute rate to a specific destination than the per minute rate to that specific destination promoted or advertised, on—

(A) the prepaid telephone calling card;

(B) any point-of-sale material relating to the card; or

(C) other advertising related to the card or service.

(3) MINUTES ANNOUNCED, PROMOTED, AND ADVERTISED THROUGH VOICE PROMPTS.—To provide fewer minutes than the number of minutes announced, promoted, or advertised through any voice prompt given by the prepaid telephone calling service provider to a consumer at the time the consumer places a call to a dialed destination with a prepaid telephone calling card or service.

(4) EXPIRATION.—Unless a different expiration date is clearly disclosed pursuant to the disclosure requirements of regulations prescribed under section 3, to provide, sell, resell, issue, or distribute a prepaid telephone calling card or service that expires—

(A) before the date that is 1 year after the date on which such card or service is first used; or

(B) in the case of a prepaid telephone calling card or service that permits a consumer to purchase additional usage minutes or add additional value to the card or service, before the date that is 1 year after the date on which the consumer last purchased additional usage minutes or added additional value to the card or service.

(5) CHARGES FOR UNCONNECTED CALLS.—To assess any fee or charge for any unconnected telephone call. For purposes of this paragraph, a telephone call shall not be considered connected if the person placing the call receives a busy signal or if the call is unanswered.

(b) PREPAID TELEPHONE CALLING CARD DISTRIBUTOR.—It shall be unlawful for any prepaid telephone calling card distributor to do any of the following:

(1) UNDISCLOSED FEES AND CHARGES.—To assess or deduct from the balance of a prepaid telephone calling card any fee or other amount for use of the prepaid telephone calling service, except—

(A) the per minute rate or value for each particular destination called by the consumer; and

(B) fees that are disclosed as required by regulations prescribed under section 3.

(2) MINUTES AS PROMOTED AND ADVERTISED.—To sell, resell, issue, or distribute any prepaid telephone calling card that the distributor knows provides fewer minutes than the number of minutes promoted or advertised, or a higher per minute rate to a specific destination than the per minute rate to that specific destination promoted or advertised, on—

(A) the prepaid telephone calling card;

(B) any point of sale material relating to the card; or

(C) other advertising relating to the card or service.

(3) MINUTES ANNOUNCED, PROMOTED, OR ADVERTISED THROUGH VOICE PROMPTS.—To sell, resell, issue, or distribute a prepaid telephone calling card that such distributor knows provides fewer minutes than the number of minutes announced, promoted, or advertised through any voice prompt given to a consumer at the time the consumer places a call to a dialed destination with the prepaid telephone calling card or service.

(4) EXPIRATION.—Unless a different expiration date is clearly disclosed pursuant to the disclosure requirements of regulations prescribed under section 3, to provide, sell, resell, issue, or distribute a prepaid telephone calling card that expires—

(A) before the date that is 1 year after the date on which such card or service is first used; or

(B) in the case of a prepaid telephone calling card or service that permits a consumer to purchase additional usage minutes or add additional value to the card or service, before the date that is 1 year after the date on which the consumer last purchased additional usage minutes or added additional value to the card or service.

(c) LIABILITY.—A prepaid telephone calling service provider or a prepaid telephone calling card distributor may not avoid liability under this section by stating that the displayed, announced, promoted, or advertised minutes, or the per minute rate to a specific destination, are subject to fees or charges, or by utilizing other disclaimers or limitations.

SEC. 5. ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.

(a) UNFAIR AND DECEPTIVE ACT OR PRACTICE.—Notwithstanding any other provision of law, a violation of a regulation prescribed under section 3 or the commission of an unlawful act proscribed under section 4 shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) AUTHORITY OF THE COMMISSION.—The Commission shall enforce this Act in the same manner and by the same means as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of this Act.

(c) RULEMAKING AUTHORITY.—The Commission may prescribe regulations to carry out this Act.

SEC. 6. STATE ENFORCEMENT.

(a) IN GENERAL.—

(1) CIVIL ACTIONS.—In any case in which the attorney general of a State, a State utility commission, or other authorized State consumer protection agency has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by the engagement of any person in a practice that is prohibited under this Act, the State, as parens patriae, may bring a civil action on behalf of the residents of that State in a district court of the United States of appropriate jurisdiction, or any other court of competent jurisdiction—

(A) to enjoin that practice;

(B) to enforce compliance with this Act;

(C) to obtain damage, restitution, or other compensation on behalf of residents of the State; or

(D) to obtain such other relief as the court may consider to be appropriate.

(2) NOTICE TO FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—Before filing an action under paragraph (1), the attorney general of a State, a State utility commission, or an authorized State consumer protection agency shall provide to the Commission—

(i) written notice of the action; and

(ii) a copy of the complaint for the action.

(B) EXEMPTION.—

(i) IN GENERAL.—Subparagraph (A) shall not apply to the filing of an action under paragraph (1) if the attorney general of a State, a State utility commission, or an authorized State consumer protection agency filing such action determines that it is not feasible to provide the notice described in subparagraph (A) before the filing of the action.

(ii) NOTIFICATION.—In an action described in clause (i), the attorney general of a State, a State utility commission, or an authorized State consumer protection agency shall provide notice and a copy of the complaint to the Commission at the time the action is filed.

(b) INTERVENTION BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—Upon receiving notice under subsection (a)(2), the Commission may intervene in the action that is the subject of such notice.

(2) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under subsection (a), the Commission may—

(A) be heard with respect to any matter that arises in that action; and

(B) file a petition for appeal.

(c) CONSTRUCTION.—Nothing in this Act may be construed to prevent an attorney general of a State, a State utility commission, or an authorized State consumer protection agency from exercising the powers

conferred on the attorney general, a State utility commission, or an authorized State consumer protection agency by the laws of that State—

(1) to conduct investigations;

(2) to administer oaths or affirmations;

(3) to compel the attendance of witnesses or the production of documentary and other evidence;

(4) to enforce any State consumer protection laws of general applicability; or

(5) to establish or utilize existing administrative procedures to enforce the provisions of the law of such State.

(d) VENUE; SERVICE OF PROCESS.—

(1) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

(A) is an inhabitant; or

(B) may be found.

SEC. 7. APPLICATION.

The regulations prescribed under section 3 and the provisions of section 4 shall apply to any prepaid telephone calling card issued or placed into the stream of commerce, and to any advertisement, promotion, point-of-sale material or voice prompt regarding a prepaid telephone calling service that is created or disseminated 90 days after the date on which the regulations are prescribed under section 3(a).

SEC. 8. PREEMPTION.

Nothing in this Act shall affect the authority of any State to establish or continue in effect a provision of the law of a State relating to regulation of prepaid calling cards, prepaid calling card distributors, prepaid calling services, or prepaid calling service providers, except to the extent that such provision of law is inconsistent with the provisions of this Act or a regulation prescribed under this Act, and then only to the extent of such inconsistency. A provision of the law of a State is not inconsistent with this Act or a regulation prescribed under this Act if such provision provides equal or greater protection to consumers than what is provided under this Act or the regulations prescribed under this Act.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 3000. A bill to amend title 38, United States Code, to include Federally recognized tribal organizations in certain grant programs of the Department of Veterans Affairs for the several States and territories, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I proudly introduce, along with my good friend and colleague, the senior Senator from Hawaii, Senator DANIEL INOUYE, the Native American Veterans Access Act. This measure would provide equitable veterans' services to Native Americans by allowing tribal governments to apply for veterans' program grants currently limited to States, and in some cases, even U.S. Territories.

Native veterans have a long history of honorable and extraordinary service in our national defense. From the American Indians who served alongside General George Washington, to Nainoa Hoe, a Native Hawaiian soldier who was killed on patrol in Iraq while carrying the battle flag his father held in Vietnam, native veterans have served bravely and honorably.

Unfortunately, too often our Nation's track record in serving native veterans does not match their service. Especially in the case of native veterans who return to their ancestral homelands, reservation communities, or tribal villages, many native veterans are geographically and culturally disconnected from the services provided by State and Federal veterans' programs.

Part of the problem is that veterans' programs are not always designed with native veterans in mind. For example, while the Department of Veterans Affairs and Department of Labor operate several exemplary veterans' grant programs for State governments, most of these programs are not open to tribal governments. The bill I am introducing today would address this issue, by giving tribal governments access to many of these important programs.

First, my bill would provide access to VA's two nursing home grants, which help local governments construct veterans' nursing homes and pay for nursing home care, adult day care, domiciliary care, and hospital care. It is important that tribal governments be included in these grants, given the expected rise in the number of older native veterans. The U.S. Census projects that while the overall number of older veterans will decrease by 10 percent by 2020, during that same period the number of older native veterans will increase by 60 percent. This expected boom in older native veterans makes it important that we give tribal governments the same opportunities we already provide State governments to care for their elder veterans.

My bill would also give the Secretary of Labor discretion to include tribal governments in Veterans Employment and Training programs and grants. Veterans' employment services are much needed among native veterans, and in Indian Country. Census data indicates that American Indian and Alaska Native veterans are twice as likely as other veterans to be unemployed. For those veterans living on-reservation, the labor market is shamefully dismal: a recently published report from the Bureau of Indian Affairs found on-reservation unemployment to be 49 percent. That unemployment rate is twice as high as national unemployment was during the worst year of the Great Depression. Surely it is not too much to ask that tribal governments in these circumstances be considered for the veterans' employment programs States and U.S. Territories already have access to.

I ask my colleagues to join me in supporting these measures, as we work towards parity in access and benefits for Native American veterans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECROD, as follows:

S. 3000

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 ''Native American Veterans Access Act of 2008''.

SEC. 2. INCLUSION OF FEDERALLY RECOGNIZED TRIBAL ORGANIZATIONS IN CERTAIN GRANT PROGRAMS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR THE STATES AND TERRITORIES.

(a) TREATMENT OF TRIBAL ORGANIZATION HEALTH FACILITIES AS STATE HOMES.—Section 8138 of title 38, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

''(e)(1) A health facility (or certain beds in a health facility) of a tribal organization is treatable as a State home under subsection (a) in accordance with the provisions of that subsection.

''(2) Except as provided in paragraph (3), the provisions of this section shall apply to a health facility (or certain beds in such facility) treated as a State home under subsection (a) by reason of this subsection to the same extent as health facilities (or beds) treated as a State home under subsection (a).

''(3) Subsection (f) shall not apply to the treatment of health facilities (or certain beds in such facilities) of tribal organizations as a State home under subsection (a).

''(4) In this subsection, the term 'tribal organization' has the meaning given such term in section 3764(4) of this title.''.

(b) STATE HOME FACILITIES FOR DOMICILIARY, NURSING, AND OTHER CARE.—

(1) IN GENERAL.—Chapter 81 of such title is further amended—

(A) in section 8131, by adding at the end the following new paragraph:

''(5) The term 'tribal organization' has the meaning given such term in section 3764(4) of this title.'';

(B) in section 8132, by inserting ''and tribal organizations'' after ''the several States''; and

(C) by inserting after section 8133 the following new section:

''§ 8133A. Tribal organizations

''(a) The Secretary may make grants to tribal organizations under this subchapter in order to carry out the purposes of this subchapter.

''(b) Grants to tribal organizations under this section shall be made in the same manner, and under the same conditions, as grants made to the several States under the provisions of this subchapter, subject to such exceptions as the Secretary shall prescribe for purposes of this subchapter to take into account the unique circumstances of tribal organizations.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 8133 the following new item:

''8133A. Tribal organizations.''.

(c) JOB COUNSELING, TRAINING AND PLACEMENT SERVICES FOR VETERANS.—Section 4101 of such title is amended—

(1) in paragraph (6), by inserting ''tribal organizations,'' after ''to the extent determined necessary and feasible,''; and

(2) by adding at the end the following new paragraph:

''(9) The term 'tribal organization' has the meaning given such term in section 3764(4) of this title.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 555—RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE CONGRESSIONAL CLUB.

Mr. ENZI (for himself, Mr. NELSON of Florida, Mr. WICKER, and Mr. NELSON of Nebraska) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 555

Whereas the Congressional Club was organized in 1908 by 25 women who were influential in Washington's official life and who wanted to establish a nonsectarian and nonpolitical group that would promote friendship and cordiality in public life;

Whereas those women founded the Club to bring the wives of Members of Congress together in a hospitable and compatible environment in the Nation's Capital;

Whereas the Congressional Club was officially established in 1908 by a unanimous vote in both the Senate and the House of Representatives and is the only club in the world to be founded by an Act of Congress;

Whereas the Act entitled ''An Act to incorporate the Congressional Club'' (35 Stat. 476, chapter 226) was signed by President Theodore Roosevelt on May 30, 1908;

Whereas the Congressional Club's founding was secured by womanly wiles and feminine determination in the enactment of that Act unanimously on May 28, 1908, in order to overcome the opposition of Representative John Sharp Williams of Mississippi, who opposed all women's organizations;

Whereas, when Representative Williams was called out of the chamber by Mrs. Williams, the good-mannered representative obliged and withdrew his opposition and request for a recorded vote, saying, ''upon this particular bill there will not be a roll call, because it would cause a great deal of domestic unhappiness in Washington if there were'';

Whereas the first Congressional Clubhouse was at 1432 K Street Northwest in Washington, District of Columbia, and opened on December 11, 1908, with a reception for President-elect and Mrs. William Taft;

Whereas, after Mrs. John B. Henderson of Missouri donated land on the corner of New Hampshire Avenue and U Street Northwest, the cornerstone of the current Clubhouse was laid at that location on May 21, 1914;

Whereas that Clubhouse was built by George Totten in the Beaux Arts style and is listed on the National Register of Historic Places;

Whereas the mortgage on the Clubhouse was paid for by the sales of the Club's cookbook and the mortgage document was burned by Mrs. Bess Truman in a silver bowl on the 40th anniversary of the Club's founding;

Whereas the Congressional Club has remained a good neighbor on the U Street corridor for more than 90 years, encouraging the revitalization of the area during a time of socioeconomic challenges and leading the way in upkeep and maintenance of historic property;

Whereas the Congressional Club honors and supports the people in its neighborhood by inviting the local police and fire departments to the Clubhouse for lunch and delivering trays of Member-made cookies and candies to them during the holidays, by hosting an annual Senior Citizens Appreciation Day luncheon for residents of a neighborhood nursing home, and by hosting an annual holiday brunch for neighborhood children each December that includes a festive meal, gifts, and a visit from Santa Claus;

Whereas the Congressional Club has hosted the annual First Lady's Luncheon every spring since 1912 and annually donates tens of thousands of dollars to charities in the name of the First Lady;

Whereas, among its many charitable recipients, the Congressional Club has chosen mentoring programs, United National Indian Tribal Youth, literacy programs, the White House library, youth dance troupes, domestic shelters, and child care centers;

Whereas the Congressional Club members, upon the suggestion of Mrs. Eleanor Roosevelt, have been encouraged to become discussion leaders on national security in their home States, from the trials of World War II to the threats of terrorism;

Whereas the Congressional Club extends the hand of friendship and goodwill globally by hosting an annual diplomatic reception to entertain the spouses of ambassadors to the United States;

Whereas the Congressional Club is solely supported by membership dues and the sale of cookbooks and has never received any Federal funding;

Whereas the 14 editions of the Congressional Club cookbook, first published in 1928, reflect the life and times of the United States with recipes and signatures of Members of Congress, First Ladies, Ambassadors, and members of the Club;

Whereas the Congressional Club membership has expanded to include spouses and daughters of Representatives, Senators, Supreme Court Justices, and Cabinet members;

Whereas 7 members of the Congressional Club have become First Lady: Mrs. Florence Harding, Mrs. Lou Hoover, Mrs. Bess Truman, Mrs. Jacqueline Kennedy, Mrs. Patricia Nixon, Mrs. Betty Ford, and Mrs. Barbara Bush;

Whereas several members of the Congressional Club have been elected to Congress, including Mrs. Jo Ann Emerson, Mrs. Lois Capps, and Mrs. Mary Bono, and former presidents of the Congressional Club Mrs. Lindy Boggs and Mrs. Doris Matsui;

Whereas leading figures in politics, the arts, and the media have visited the Clubhouse throughout the past 100 years;

Whereas the Congressional Club is home to the First Lady's gown display, a museum with replica inaugural and ball gowns of the First Ladies from Mrs. Mary Todd Lincoln to Mrs. Laura Bush;

Whereas the Congressional Club is charged with receiving the Presidential couple, honoring the Vice President and spouse, the Speaker of the House of Representatives and spouse, and the Chief Justice and spouse, and providing the orientation for spouses of new Members of Congress; and

Whereas the Congressional Club will celebrate its 100th anniversary with festivities and ceremonies during 2008 that include the ringing of the official bells of the United States Congress, a Founder's Day program, a birthday cake at the First Lady's Luncheon, an anniversary postage stamp and cancellation stamp, a 100-year pin and pendant designed by former president Lois Breaux, and invitations to President and Mrs. Bush, Speaker and Mr. Pelosi, and Chief Justice and Mrs. Roberts to visit and celebrate 100 years of public service, civility, and growth at the Congressional Club: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the founding of the Congressional Club;

(2) acknowledges the contributions of political spouses to public life in the United States and around the world through the Congressional Club for the past 100 years;

(3) honors the past and present membership of the Congressional Club; and

(4) encourages the people of the United States—

(A) to strive for greater friendship, civility, and generosity in order to heighten public service, elevate the culture, and enrich humanity; and

(B) to seek opportunities to give financially and to volunteer to assist charitable organizations in their own communities.

SENATE RESOLUTION 556—CONGRATULATING CHARTER SCHOOLS AND THEIR STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS ACROSS THE UNITED STATES FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION, AND FOR OTHER PURPOSES.

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. BURR, Mr. VITTER, Mr. GREGG, Mr. SUNUNU, Mr. ALLARD, Mr. ISAKSON, and Mr. CARPER) submitted the following resolution; which was considered and agreed to:

S. RES. 556

Whereas charter schools deliver high-quality education and challenge all students to reach their potential;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that are responding to the needs of our communities, families, and students and promoting the principles of quality, choice, and innovation;

Whereas, in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 40 States and the District of Columbia have passed laws authorizing charter schools;

Whereas more than 4,300 charter schools are now operating in 40 States and the District of Columbia, serving more than 1,200,000 students;

Whereas, over the last 14 years, Congress has provided over $2,237,256,000 in support to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas many charter schools improve their students' achievement and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 in the same manner as traditional public schools, and often set higher and additional individual goals to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose their public schools, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and their communities;

Whereas over 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill over 1,100 average-sized charter schools;

Whereas charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public school system;

Whereas charter schools have enjoyed broad bipartisan support from the President,

Congress, State Governors and legislatures, educators, and parents across the United States; and

Whereas the 9th annual National Charter Schools Week, to be held May 5 through May 9, 2008, is an event sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impacts, achievements, and innovations of charter schools: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges and commends charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, especially their impressive results closing America's persistent achievement gap, and improving and strengthening our public school system.

(2) supports the ideas and goals of the 9th annual National Charter Schools Week; and

(3) encourages the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools during this week long celebration in communities throughout the United States.

SENATE RESOLUTION 557—SUPPORTING THE GOALS AND IDEALS OF NATIONAL TRAIN DAY

Mr. LAUTENBERG (for himself, Mrs. HUTCHISON, Mr. BAUCUS, Mr. BIDEN, Mr. CARPER, Mrs. CLINTON, Mr. DORGAN, Mr. DURBIN, Mr. KERRY, Mr. MENENDEZ, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. WYDEN, Mr. DOMENICI, Ms. SNOWE, Mr. CRAPO, Mr. COCHRAN, Mr. SPECTER, Mr. LIEBERMAN, Mr. BAYH, and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 557

Whereas, on May 10, 1869, the ''golden spike'' was driven into the final tie at Promontory Summit, Utah, to join the Central Pacific and the Union Pacific Railroads, ceremonially completing the first transcontinental railroad and therefore connecting both coasts of the United States;

Whereas, in highly populated regions, Amtrak trains and infrastructure carry commuters to and from work in congested metropolitan areas providing a reliable rail option, reducing congestion on roads and in the skies;

Whereas, for many rural Americans, Amtrak represents the only major intercity transportation link to the rest of the country;

Whereas passenger rail provides a more energy-efficient form of transportation compared to autos or air travel;

Whereas passenger railroads emit only 0.2 percent of the travel industry's total greenhouse gases;

Whereas Amtrak annually provides intercity passenger rail travel to over 25,000,000 Americans residing in 46 States;

Whereas an increasing number of people are using trains for travel purposes beyond commuting to and from work;

Whereas our railroad stations are a source of civic pride, a gateway to our communities, and a tool for economic growth; and

Whereas Amtrak has designated May 10, 2008, as National Train Day to celebrate the way trains connect people and places: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Train Day, as designated by Amtrak.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4733. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. SCHUMER, Mr. NELSON, of Florida, and Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes.

SA 4734. Mr. ENSIGN (for himself and Mr. REID) proposed an amendment to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, supra.

SA 4735. Mr. THUNE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, supra.

SA 4736. Mr. DODD (for himself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, supra.

SA 4737. Mr. REID (for himself, Mr. DORGAN, Mr. BINGAMAN, Mrs. BOXER, Mr. LEVIN, Ms. STABENOW, Mr. LEAHY, Mr. SCHUMER, Mr. BROWN, Mr. SANDERS, Mr. DURBIN, Mr. KERRY, Mr. MENENDEZ, Ms. LANDRIEU, Mr. CARPER, Mr. INOUYE, Mr. LAUTENBERG, Mr. SALAZAR, Mr. REED, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4738. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4739. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4740. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4741. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4742. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4743. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4744. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4745. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4746. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4747. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4748. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

SA 4749. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4733. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. SCHUMER, Mr. NELSON of Florida, and Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; as follows:

On page 34, between lines 14 and 15, insert the following:

(d) COMMUNICATION AND OUTREACH.—

(1) IN GENERAL.—The Director shall—

(A) work to enhance communication and outreach to States, local communities, and property owners about the effects of—

(i) any potential changes to National Flood Insurance Program rate maps that may result from the mapping program required under this section; and

(ii) that any such changes may have on flood insurance purchase requirements; and

(B) engage with local communities to enhance communication and outreach to the residents of such communities on the matters described under subparagraph (A).

(2) REQUIRED ACTIVITIES.—The communication and outreach activities required under paragraph (1) shall include—

(A) notifying property owners when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

(B) educating property owners regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

(C) educating property owners regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) for such properties and the contents of such properties;

(D) educating property owners about flood map revisions and the process available such owners to appeal proposed changes in flood elevations through their community; and

(E) encouraging property owners to maintain or acquire flood insurance coverage.

On page 34, line 15, strike ''(d)'' and insert ''(e)''.

SA 4734. Mr. ENSIGN (for himself and Mr. REID) proposed an amendment to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. FERNLEY FLOOD COMPENSATION.

(a) DEFINITIONS.—In this section:

(1) COVERED PERSON.—The term ''covered person'' means a United States citizen, an alien lawfully admitted for permanent residence, the City of Fernley, Lyon County, a person that is not an individual, or a school district.

(2) FERNLEY FLOOD.—The term ''Fernley flood'' means the breach of the Truckee Irrigation Canal on January 5, 2008, and subsequent flooding of the City of Fernley, Nevada.

(3) INJURED PARTY.—The term ''injured party'' means a covered person that suffered damages resulting from the Fernley flood.

(b) COMPENSATION AND SOURCE OF FUNDS.—

(1) COMPENSATION.—Each injured party shall be eligible to receive from the United States compensation for damages suffered as a result of the Fernley flood.

(2) SOURCE OF FUNDS.—The Director shall compensate each injured party for damages resulting from the Fernley flood from the permanent judgment appropriation under section 1304 of title 31, United States Code.

(c) INSURANCE AND OTHER BENEFITS.—The Director shall reduce the amount to be paid to an injured party relating to the Fernley flood by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature relating to the Fernley flood that were paid, or will be paid, to that injured party.

(d) ACCEPTANCE OF AWARD.—The acceptance by a injured party of any payment under this section shall (excluding claims relating to life insurance benefits)—

(1) be final and conclusive as to any claim of that injured party relating to damages suffered because of the Fernley flood; and

(2) constitute a complete and full release of all claims of that injured party relating to the Fernley flood against the United States, the State of Nevada, Lyon County, Nevada, the City of Fernley, Nevada, and the Truckee-Carson Irrigation District.

(e) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Director shall promulgate and publish in the Federal Register interim final regulations to carry out this section.

SA 4735. Mr. THUNE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. BIG SIOUX RIVER AND SKUNK CREEK, SIOUX FALLS, SOUTH DAKOTA.

The project for flood control, Big Sioux River and Skunk Creek, Sioux Falls, South Dakota, authorized by section 101(a)(28) of the Water Resources Development Act of 1996 (110 Stat. 3666), is modified to authorize the Secretary to reimburse the non-Federal interest for funds advanced by the non-Federal interest for the Federal share of the project, only if additional Federal funds are appropriated for that purpose.

SA 4736. Mr. DODD (for himself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; as follows:

On page 10, between lines 16 and 17, insert the following:

(3) ACCURATE PRICING.—In carrying out the mandatory purchase requirement under paragraph (1), the Director shall ensure that the price of flood insurance policies in areas of residual risk accurately reflects the level of flood protection provided by any levee, dam, or other the man-made structure in such area.

On page 31, after line 14 add:

''(v) The level of protection provided by man-made structures.''

On page 10, after line 16, insert:

(d)—upon decertification of any levee, dam, or man-made structure under the jurisdiction of the Army Corps of Engineers, the Corps shall immediately provide notice to the Director of the National Flood Insurance program.

SA 4737. Mr. REID (for himself, Mr. DORGAN, Mr. BINGAMAN, Mrs. BOXER, Mr. LEVIN, Ms. STABENOW, Mr. LEAHY, Mr. SCHUMER, Mr. BROWN, Mr. SANDERS, Mr. DURBIN, Mr. KERRY, Mr. MENENDEZ, Ms. LANDRIEU, Mr. CARPER, Mr. INOUYE, Mr. LAUTENBERG, Mr. SALAZAR, Mr. REED, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SUSPENSION OF PETROLEUM ACQUISITION FOR STRATEGIC PETROLEUM RESERVE.

(a) IN GENERAL.—Except as provided in subsection (b) and notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act and ending on December 31, 2008—

(1) the Secretary of the Interior shall suspend acquisition of petroleum for the Strategic Petroleum Reserve through the royalty-in-kind program; and

(2) the Secretary of Energy shall suspend acquisition of petroleum for the Strategic Petroleum Reserve through any other acquisition method.

(b) RESUMPTION.—Not earlier than 30 days after the date on which the President notifies Congress that the President has determined that the weighted average price of petroleum in the United States for the most recent 90-day period is $75 or less per barrel—

(1) the Secretary of the Interior may resume acquisition of petroleum for the Strategic Petroleum Reserve through the royalty-in-kind program; and

(2) the Secretary of Energy may resume acquisition of petroleum for the Strategic Petroleum Reserve through any other acquisition method.

(c) EXISTING CONTRACTS.—In the case of any oil scheduled to be delivered to the Strategic Petroleum Reserve pursuant to a contract entered into by the Secretary of Energy prior to, and in effect on, the date of enactment of this Act, the Secretary shall, to the maximum extent practicable, negotiate a deferral of the delivery of the oil for a period of not less than 1 year, in accordance with procedures of the Department of Energy in effect on the date of enactment of this Act for deferrals of oil.

SA 4738. Ms. STABENOW (for himself and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 4707 proposed by Mr. DODD (for himself and Mr. SHELBY) to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, after line 19, insert the following:

(e) STUDY ON GRAND RIVER FLOODWALL.—

(1) IN GENERAL.—The Director and the Corps of Engineers, in conjunction with the City of Grand Rapids, shall conduct a study on the Grand River Floodwall in Grand Rapids, Michigan, to determine if such Floodwall (which is built one foot above the existing 100-year flood levels) is adequate to provide flood protection.

(2) NO COST TO CITY.—The study required under paragraph (1) shall be conducted at no cost to the City of Grand Rapids.

(3) TERMS OF ANALYSIS.—In making the determination required under paragraph (1), the Director and the Corps of Engineers shall—

(A) use the best and most appropriate geologic, hydrologic, climate data, and flood modeling available;

(B) fully analyze and identify—

(i) the overall risk of failure of the Grand River Floodwall to the City of Grand Rapids;

(ii) the existing flood protection measures provided by such Floodwall; and

(iii) the risk remaining to the City of Grand Rapids after consideration of the existing flood protection measures provided by such Floodwall; and

(C) assign a realistic cost to taking measures to insure against the remaining risk identified under subparagraph (B).

(4) NO UPDATE OF FLOODMAPS UNTIL STUDY COMPLETED.—During the period beginning on the date of the enactment of this Act and ending on the date on which the study required under paragraph (1) is completed, the Director may not issue any updated flood insurance rate maps for the City of Grand Rapids.

SA 4739. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968; to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRLINE MERGERS.

In reviewing the proposed merger of Northwest Airlines and Delta Air Lines announced April 14, 2008, the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice shall consider any potential adverse effects on competition in urban and rural areas with fewer than 200,000 residents.

SA 4740. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. STUDY ON EXISTING CODE-SHARING AGREEMENTS AND PROPOSED MERGER BETWEEN DELTA AIR LINES AND NORTHWEST AIRLINES.

The Secretary of Transportation shall conduct a study on the proposed merger between Delta Air Lines and Northwest Airlines to assess whether, because of existing code-sharing agreements between Northwest Airlines, Air France, and KLM Royal Dutch Airlines—

(1) such merger would provide greater access to United States air transportation

markets by Air France and KLM Royal Dutch Airlines; and

(2) such increased access would be in the United States public interest.

SA 4741. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insuance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRLINE MERGERS.

In reviewing the proposed merger of Northwest Airlines and Delta Air Lines announced April 14, 2008, the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice shall consider whether Northwest Airlines or Delta Air Lines would be able to continue business operations if such proposed merger does not occur.

SA 4742. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insuance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. ___. STUDY OF THE IMPACT THAT AIRLINE MERGERS HAVE HAD ON RURAL AREAS.

(a) IN GENERAL.—The Attorney General shall conduct a study on the impact that airline mergers have had on rural areas since deregulation of the airline industry in 1978.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit the findings from the study required by subsection (a) to Congress.

(c) DEFINITION.—In this section, the term ''rural areas'' means areas having fewer than 50,000 residents.

SA 4743. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insuance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRLINE MERGERS.

The Comptroller General of the United States shall conduct a study of, and submit a report to Congress regarding, the effect of the proposed merger of Northwest Airlines and Delta Air Lines announced April 14, 2008, on—

(1) the compensation of executives of such companies; and

(2) the liabilities of the employee pension benefit plans of such companies relating to employees that are not executive-level employees.

SA 4744. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRLINE MERGERS.

(a) IN GENERAL.—For any covered airline merger, the waiting period described in section 7A(b)(1) of the Clayton Act (15 U.S.C. 18a(b)(1)) for that covered airline merger shall expire on the latter of—

(1) the date that is 1 year after the date of enactment of this Act; or

(2) the date that such waiting period otherwise expires under section 7A(b)(1) of the Clayton Act (15 U.S.C. 18a(b)(1)) (including such later date as may be set under subsection (e)(2) or (g)(2) of such section).

(b) DEFINITION OF COVERED AIRLINE MERGER.—In this section, the term ''covered airline merger'' means any acquisition of voting securities or assets of a person in the air transport services industry—

(1) relating to which—

(A) a notice is filed pursuant to the rules under section 7A(d)(1) of the Clayton Act (15 U.S.C. 18a(d)(1)) during the 1-year period beginning on the date of enactment of this Act; or

(B) the waiting period described in section 7A(b)(1) of the Clayton Act (15 U.S.C. 18a(b)(1)) has not expired on the date of enactment of this Act; and

(2) that the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice determines is likely to result in layoffs in, or reductions in air transport services to, rural areas.

SA 4745. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. ___. STUDY OF THE IMPACT THAT AIRLINE MERGERS HAVE HAD ON NEW COMMERCIAL AIRLINE ENTRIES INTO RURAL MARKETS.

(a) IN GENERAL.—The Attorney General shall conduct a study on the impact that airline mergers have had on new commercial airline entries into rural markets.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit the findings from the study required by subsection (a) to Congress.

SA 4746. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON IMPACT OF PROPOSED MERGER BETWEEN DELTA AIR LINES AND NORTHWEST AIRLINES ON AIR TRANSPORTATION MARKET IN EUROPE.

The Secretary of Transportation shall conduct a study on the proposed merger between Delta Air Lines and Northwest Airlines—

(1) to estimate, if such merger were completed, what share of the air transportation market in Europe such merged entity would have, taking into consideration the Open Skies Initiative; and

(2) to determine whether permitting such merger would violate any trade agreement with respect to which the United States is a party.

SA 4747. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. ___. STUDY OF THE IMPACT THAT AIRLINE MERGERS HAVE HAD ON RURAL AREAS.

(a) IN GENERAL.—The Attorney General shall conduct a study on the impact that airline mergers have had on rural areas since deregulation of the airline industry in 1978.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit the findings from the study required by subsection (a) to Congress.

(c) DEFINITION.—In this section, the term ''rural areas'' means areas having fewer than 50,000 residents.

SA 4748. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. ___. ACTION BY STATE ATTORNEYS GENERAL AGAINST DELTA AND NORTHWEST MERGER.

Congress encourages the Attorney General of any State adversely impacted by the proposed Delta and Northwest merger to bring an action under the Clayton Act to enjoin the merger or recover any appropriate damages.

SA 4749. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 2284, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AIRLINE MERGERS.

The Comptroller General of the United States shall conduct a study of, and submit a report regarding, whether the proposed merger of Northwest Airlines and Delta Air Lines announced April 14, 2008, will harm air transport services in rural areas.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled. The hearing will be held on Thursday, June 5, 2008, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony regarding off-highway vehicle management on public lands.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to rachel_pasternack@energy.senate.gov.

For further information, please contact Rachel Pasternack at (202) 224–0883 or Scott Miller at 202–224–5488.

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee onIndian Affairs will meet on Tuesday, May 13, at 2:30 p.m. in room 562 of the Dirksen Senate Office Building to conduct an oversight hearing on ''the successes and shortfalls of Title IV of the Indian Self-Determination and Education Assistance Act: Twenty Years of Self-Governance''.

Those wishing additional information may contact the Indian AffairsCommittee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, May 8, 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 ENVIRONMENT AND PUBLIC WORKS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, May 8, 2008 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled, ''Goods Movement on our Nation's Highways.''

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

COMMITTEE ON FINANCE

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, May 8, 2008, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''More Work, Less Resources: Social Security Field Offices Struggle to Deliver Service to the Public''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DODD. 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 ''Cancer: Challenges and Opportunities in the 21st Century'' on Thursday, May 8, 2008. The hearing will commence at 9 a.m. in room 216 of the Hart Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 8, 2008, to conduct a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. DODD. 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 an executive business meeting on Thursday, May 8, 2008, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 8, 2008, at 2:30 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, May 8, 2008, at 10 a.m. to conduct a hearing entitled, ''From Candidates to Change Makers: Recruiting and Hiring the Next Generation of Federal Employees.''

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

PRIVILEGES OF THE FLOOR

Mr. CRAIG. Madam President, I ask unanimous consent that Colin Jones, a congressional fellow in my office from the Idaho National Laboratory, have floor privileges during the duration of my comments.

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

COMMEMORATING THE DEDICATION AND SACRIFICE OF LAW ENFORCEMENT OFFICERS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 729, S. Res. 537.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 537) commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEAHY. Mr. President, today the Senate Judiciary Committee unanimously reported S. Res. 537 to the Senate floor. In recognition of those officers who lost their lives in 2007, the full Senate has now passed this resolution. I thank Senators SPECTER, KENNEDY, DURBIN, KOHL, FEINSTEIN, SCHUMER, HATCH, WHITEHOUSE, BIDEN, CARDIN, and BAUCUS for joining me in sponsoring this resolution. And I thank the full Senate for showing its strong support and appreciation of America's law enforcement officers by unanimously passing this resolution. It is something in which we can all take pride.

Last year, in 2007, 181 law enforcement officers died while serving in the line of duty. That is a regrettable and significant increase from just 1 year earlier. Tragically, it is the most line-of-duty deaths since 2001 and the losses from September 11 of that year. The magnitude of this loss should remove any doubts in Congress that it is necessary to give these men and women everything they need to stay safe, and to do their jobs as effectively as they can.

Currently, more than 900,000 men and women who guard our communities do so at great risk. Since the first recorded police death in 1792, there have been more than 18,200 law enforcement officers who have made the ultimate sacrifice. There is lots of talk about the war on crime. Our law enforcement officers are all too often the casualties in that effort, and the officers who lost their lives in 2007 are a stark reminder that we must not let up in our support of those who work day-in and day-out in the service of their communities and fellow citizens.

I also take this opportunity to recognize that the names of 358 fallen officers will be added to the National Law Enforcement Officers Memorial on May 13 during a candlelight vigil that will be held in their honor. These are officers from the past and present whose memory will be preserved at the memorial, ensuring that their bravery and sacrifice will not be forgotten.

National Peace Officers Memorial Day provides the people of the United States, in their communities, in their State capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by those members of our police forces. More than 20,000 peace officers are expected to gather in Washington in the days leading up to May 15, to join with the families of their fallen comrades. It is right that the Senate show its respect on this occasion, and I thank all Senators for joining me in honoring their service and their memory by approving this bipartisan resolution.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be

agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 537) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 537

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas 181 peace officers across the United States were killed in the line of duty during 2007, tragically the highest yearly total since 2001;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers, including—

(1) better equipment and increased use of bullet-resistant vests;

(2) improved training; and

(3) advanced emergency medical care;

Whereas, every 2 days on average, 1 out of every 16 peace officers is assaulted, 1 out of every 56 peace officers is injured, and 1 out of every 5,500 peace officers is killed in the line of duty somewhere in the United States; and

Whereas, on May 15, 2008, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 15, 2008, as ''Peace Officers Memorial Day'', in honor of the Federal, State, and local law enforcement officers that have been killed or disabled in the line of duty; and

(2) calls on the people of the United States to observe that day with appropriate ceremonies, appreciation, and respect.

CONGRATULATING CHARTER SCHOOLS FOR THEIR ONGOING CONTRIBUTIONS TO EDUCATION

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 556, which was submitted earlier today by Senator LANDRIEU.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 556) congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Ms. LANDRIEU. Mr. President, I am pleased today to rise in honor of National Charter School week. The role of charter schools has become increasingly important as these institutions have become one of the fastest-growing innovative forces in education policy. In the past 4 years, 1,600 new charter schools opened and 500,000 additional public school students chose to enroll in charter schools. In the fall of 2007, 350 new public charter schools opened and an additional 115,000 public school students enrolled in these schools. Nationwide in 40 States and Washington, DC, over 4,300 public charter schools enroll more than 1.2 million public school students.

As many of you know, I have been a longtime advocate of charter schools, which not only help to better educate students, but can also help to build stronger, more prosperous cities. As incubators of innovation in education, public charter schools are an indispensable component of our Nation's educational landscape.

Back home in New Orleans, in the aftermath of the catastrophic devastation from Hurricanes Katrina and Rita came an opportunity to recreate a public school system through bold innovation and community involvement. The educational entrepreneurship of public charter schools has been integral to the city's recovery. They are inspiring positive changes throughout the system, as other schools work to cultivate the same benefits. Our hope is that all public schools in New Orleans will enjoy the same entrepreneurship, independence, and community involvement that the public charter schools have fostered.

Public charter schools were the first schools to open after the storm and they have since thrived. Today more than 57 percent of the city's public school students attend public charter schools, and more than half of our public schools are independently chartered, the highest percentage in the country.

Moreover, public charter schools are gaining momentum and support around the Nation. The recently released 2008 Public Charter School Dashboard included a national opinion poll that found that more than three out of four voters favor giving parents more options when choosing a public school for their children.

As we celebrate National Charter Schools Week with this resolution, it is my sincere hope that Congress will commit to supporting the growth of charter schools as critical tools for closing the achievement gap.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 556) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 556

Whereas charter schools deliver high-quality education and challenge all students to reach their potential;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that are responding to the needs of our communities, families, and students and promoting the principles of quality, choice, and innovation;

Whereas, in exchange for the flexibility and autonomy given to charter schools, they are held accountable by their sponsors for improving student achievement and for their financial and other operations;

Whereas 40 States and the District of Columbia have passed laws authorizing charter schools;

Whereas more than 4,300 charter schools are now operating in 40 States and the District of Columbia, serving more than 1,200,000 students;

Whereas, over the last 14 years, Congress has provided over $2,237,256,000 in support to the charter school movement through facilities financing assistance and grants for planning, startup, implementation, and dissemination;

Whereas many charter schools improve their students' achievement and stimulate improvement in traditional public schools;

Whereas charter schools must meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 in the same manner as traditional public schools, and often set higher and additional individual goals to ensure that they are of high quality and truly accountable to the public;

Whereas charter schools give parents new freedom to choose their public schools, routinely measure parental satisfaction levels, and must prove their ongoing success to parents, policymakers, and their communities;

Whereas over 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill over 1,100 average-sized charter schools;

Whereas charter schools nationwide serve a higher percentage of low-income and minority students than the traditional public school system;

Whereas charter schools have enjoyed broad bipartisan support from the President, Congress, State Governors and legislatures, educators, and parents across the United States; and

Whereas the 9th annual National Charter Schools Week, to be held May 5 through May 9, 2008, is an event sponsored by charter schools and grassroots charter school organizations across the United States to recognize the significant impacts, achievements, and innovations of charter schools: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges and commends charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education, especially their impressive results closing America's persistent achievement gap, and improving and strengthening our public school system.

(2) supports the ideas and goals of the 9th annual National Charter Schools Week; and

(3) encourages the people of the United States to conduct appropriate programs, ceremonies, and activities to demonstrate support for charter schools during this week

long celebration in communities throughout the United States.

EXECUTIVE SESSION

NOMINATION DISCHARGED

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the Foreign Relations Committee then be discharged of the nomination of William J. Burns to be an Under Secretary of State and that the Senate then proceed to the nomination; that the nomination be confirmed; that the motion to reconsider be laid upon the table; that no further motions be in order; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

William J. Burns, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Under Secretary of State (Political Affairs).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR MONDAY, MAY 12, 2008

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m. Monday, May 12; 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 there then be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Ms. KLOBUCHAR. Mr. President, as under a previous order, the time until 5:30 p.m. Monday will be equally divided and controlled between the two leaders or their designees. As previously announced, there will be no rollcall votes Monday. Senators should expect a series of votes to begin as early as 11 a.m. Tuesday.

ADJOURNMENT UNTIL MONDAY, MAY 12, 2008, AT 2 P.M.

Ms. KLOBUCHAR. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:42 p.m., adjourned until Monday, May 12, 2008, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

GLEN E. CONRAD, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE H. EMORY WIDENER, JR., RETIRED.

ELECTION ASSISTANCE COMMISSION

DONETTA DAVIDSON, OF COLORADO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2011. (REAPPOINTMENT)

ROSEMARY E. RODRIGUEZ, OF COLORADO, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2011. (REAPPOINTMENT)

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRIAN M. BOLDT
STEVEN H. CRAIG
LYNDAL R. EMERSON
MASSIMO D. FEDERICO
JOSEPH S. JONES
LEAH K. KERNAN
CAROLINE K. MANS
JOSHUA D. MITCHELL
BENJAMIN N. PALMER
ERIN S. SEEFELDT
CHRISTOPHER L. TRACY

DISCHARGED NOMINATION

The Senate Committee on Foreign Relations was discharged from further consideration of the following nomination and the nomination was confirmed:

WILLIAM J. BURNS, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS).

CONFIRMATION

Executive nomination confirmed by the Senate Thursday, May 8, 2008:

DEPARTMENT OF STATE

WILLIAM J. BURNS, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS).