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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. JACKSON of Illinois).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 3, 2008.

I hereby appoint the Honorable JESSE L. JACKSON, Jr., to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rabbi Felipe Goodman, Temple Beth Sholom, Las Vegas, Nevada, offered the following prayer:

Our God and God of our ancestors, God of Compassion, God of Justice, God of Peace, we ask for Your blessing for this House of Representatives, for our country, and for all our leaders. Grant them, O God, the ability to lead us with true understanding of Your vision so that this land under Your providence be an influence for good throughout the world. Protect the men and women of our Armed Forces who stand in harm's way so that we may enjoy the blessings of freedom and liberty. May it be Your will that they speedily return in full physical and spiritual health to their families and loved ones.

Let us remember, O God, where we came from so that we may never forget the destination of our journey as a Nation. Let us be always mindful that we are all children of immigrants. Give us the wisdom to understand what the responsibility of fighting oppression, fighting poverty, and injustice really means. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Ms. BERKLEY led the Pledge of Allegiance as follows:

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

WELCOMING RABBI FELIPE GOODMAN

The SPEAKER pro tempore. Without objection, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 1 minute.

There was no objection.

Ms. BERKLEY. Mr. Speaker, it gives me great pleasure to welcome Rabbi Felipe Goodman to the United States Congress. His credentials are as impressive as his spirit and his commitment. I know because not only is he my rabbi, he's my close personal friend.

Born in Mexico City, he is an alumni of Mexico City's University of the New World and obtained his master's degree from the Jewish Theological Seminary. Ordained in 1996, Rabbi Goodman now leads one of the most vibrant and fastest-growing conservative congregations in the United States, Temple Beth Sholom in my hometown of Las Vegas, Nevada.

In his 10 years of service, his congregation has grown from 100 to more than 700 families. He has built an entire new campus and is building a new home for its thriving school.

On January 5, 2007, 1 day after his 40th birthday, Rabbi Goodman became a United States citizen.

Rabbi Goodman is the co-author of ''Hagadah de Pesaj,'' which is the most widely used edition of The Pesach Hagadah used in Latin America.

Singled-out by international leaders for both his ideas and hard work, Felipe became vice president of the World Union of Jewish Students.

He is one of 12 members of The Rabbinic Cabinet of The Chancellor of The Jewish Theological Seminary and serves as a member of The Joint Placement Commission of The Rabbinical Assembly, The United Synagogue and JTS. The Seminary recently appointed him to the Joint Retirement Board of The Conservative Movement. He's a former member of The Executive Council of The Rabbinical Assembly and its Nominating Committee.

But more than any degree or honor or appointment, he is an important, warm, caring, and respected spiritual and religious leader in Las Vegas, Nevada, a devoted husband to Liz; a wonderful father to Yoshua, Daniela, and Ariela.

I am honored to have him here with us in the House today and honored to call Rabbi Felipe Goodman my rabbi and my friend.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Maryland (Mr. WYNN), the whole number of the House is 434.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills and joint resolution were signed:

by the Speaker on Thursday, May 22, 2008:

H.R. 2356, to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day

H.R. 2517, to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes

H.R. 4008, to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act

S. 2829, to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes

S. 3029, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes

S. 3035, to temporarily extend the programs under the Higher Education Act of 1965

S.J. Res. 17, directing the United States to initiate international discussions and take necessary steps with other Nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean

by Speaker pro tempore HOYER on Tuesday, May 27, 2008:

H.R. 6081, to amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes

OUR TROOPS NEED FUNDING

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

Mr. WILSON of South Carolina. Mr. Speaker, Congress adjourned for Memorial Day having failed to pass an emergency troop funding bill that our military says is vital to successful operations in Iraq and Afghanistan, including pay for our brave men and women in uniform.

Because the majority refuses to bring a clean bill to the floor, the military has announced that they will shift funding from one priority to another in order to meet the needs of our troops and civilian military employees. It is disappointing that when our military needs money to protect American families, the majority refuses to appropriate the funding without tying on billions more in unrelated spending.

On behalf of my constituents, many of whom serve proudly in the military, we need to work together for a clean emergency supplemental bill to be brought to the floor immediately for consideration. Our Nation is at risk with a delay in military funding, a failure to renew FISA, and limits on our energy independence.

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

THE LITTLE FELLOW FROM IRAN

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

Mr. POE. Mr. Speaker, the little fellow from Iran, Mahmoud Ahmadinejad, is ranting and saber rattling again against Israel and the United States.

The L.A. Times reports the dictator said, ''The Zionist regime of Israel . . . is about to die and will soon be erased from the scene''. And, ''The time for the fall of the satanic power of the United States has come and the countdown to annihilation . . . has started.''

The devil of the desert is preaching hate and murder in the name of radical Islam. Throughout history more people have been murdered, pillaged, tortured, and plundered in the name of religion than any other reason.

With Iran's dictator's involvement in supplying aid against the United States in Iraq, his support of Hezbollah, and his desire to have nuclear weapons to use against Israel, the world of nations must not diminish this loose cannon's evil ambition.

Freedom-loving people of all nations and religions must see the dictator as a menace. Hopefully, the people of Iran will replace their trigger-happy leader with a regime that wants peace.

In the meantime Ahmadinejad should never doubt the United States' resolve for a safe and secure Israel. The U.S. will do whatever necessary to keep the flame of liberty burning at home and in the Middle East, even if the little fellow doesn't like it.

And that's just the way it is.

COMMENDING WALTER LUTHERAN HIGH SCHOOL, AUSTIN POLYTECHNICAL HIGH SCHOOL, AND RICHARD T. CRANE HIGH SCHOOL

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

Mr. DAVIS of Illinois. Mr. Speaker, over the weekend I had the opportunity to visit three schools in my congressional district, and I want to take the opportunity to commend and congratulate all three of them.

The Walter Lutheran High School in Melrose Park, Illinois, where I attended their graduation Sunday, and I was pleased that my nephew Dante Davis was one of the graduates; then the Austin Polytechnical High School, which focuses on manufacturing, in Chicago yesterday; and last night I had a town hall meeting at the Richard T. Crane High School in Chicago on stopping school violence.

All of them are outstanding, and I commend them.

ENERGY

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

Mr. PITTS. Mr. Speaker, since 2006 the Democrats have been completely in control of Congress. The Democrat leadership continues to put a roadblock in the way of accessing American oil. Gas prices have doubled in the past year. At the station down the street from my home, gas is now over $4 a gallon.

House Republicans believe in increasing production of American-made energy. Vast untapped American energy resources are currently under lock and key and off-limits. American energy resources can make our Nation more secure and less dependent on foreign oil.

House Republicans believe not only in technologies like wind, solar, and biomass but that we ought to make use of the billions of barrels of oil in Alaska, off the deep waters of the Outer Continental Shelf, and on Federal lands. We can do this in an environmentally sensitive way. And we should eliminate the red tape it takes to build a new oil refinery.

We should develop American-made energy.

HOW TO BRING DOWN THE COST OF GAS

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

Ms. FOXX. Mr. Speaker, today gas prices are hovering around $4 a gallon, and good legislation that would help ease the pain at the pump languishes due to congressional inaction. Washington is just not working for average taxpayers in North Carolina.

Recently, I've seen some good ideas to deal with high gas prices, but we can't seem to get them brought to the floor for a vote.

For example, I'm a cosponsor of Mr. YOUNG's American Energy Independence and Price Reduction Act, which addresses both sides of this issue. It would tap domestic oil in an environmentally sensitive way and then use the tens of billions of dollars of Federal revenue to invest in 18 different existing alternative energy programs, from wind energy to water energy, all without raising taxes.

How high will the Pelosi premium have to get before we vote on commonsense legislation like this? This bill proves that we can bring down the price of gas while investing in the energy of the future without raising taxes on America's working families.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 23, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 23, 2008, at 10:13 a.m.:

That the Senate passed S. 1965.

That the Senate passed S. 2420.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House
(By Robert F. Reeves, Deputy Clerk).

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 2, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 2, 2008, at 4:53 p.m.:

That the Senate passed S. 2062.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 3, 2008.

Hon. NANCY PELOSI,
The Speaker, The Capitol, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 3, 2008, at 11:22 a.m.:

Appointments:

Mexico-United States Interparliamentary Group.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 138) supporting National Men's Health Week, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 138

Whereas despite the advances in medical technology and research, men continue to live an average of almost 6 years less than women and African-American men have the lowest life expectancy;

Whereas all 10 of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage than women;

Whereas between ages 45–54, men are 3 times more likely than women to die of heart attacks;

Whereas men die of heart disease at almost twice the rate of women;

Whereas men die of cancer at almost one and a half times the rate of women;

Whereas testicular cancer is one of the most common cancers in men aged 15–34, and when detected early, has a 95 percent survival rate;

Whereas the number of cases of colon cancer among men will reach over 55,000 in 2007, and almost half will die from the disease;

Whereas the likelihood that a man will develop prostate cancer is 1 in 6;

Whereas the number of men contracting prostate cancer will reach over 218,890 in 2007, and almost 27,050 will die from the disease;

Whereas African-American men in the United States have the highest incidence in the world of prostate cancer;

Whereas significant numbers of male-related health problems, such as prostate cancer, testicular cancer, infertility, and colon cancer, could be detected and treated if men's awareness of these problems was more pervasive;

Whereas more than one-half the elderly widows now living in poverty were not poor before the death of their husbands, and by age 100 women outnumber men 8 to 1;

Whereas educating both the public and health care providers about the importance of early detection of male health problems will result in reducing rates of mortality for these diseases;

Whereas appropriate use of tests such as Prostate Specific Antigen (PSA) exams, blood pressure screens, and cholesterol screens, in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages and increases in the survival rates to nearly 100 percent;

Whereas women are 100 percent more likely to visit the doctor for annual examinations and preventive services than men;

Whereas men are less likely than women to visit their health center or physician for regular screening examinations of male-related problems for a variety of reasons, including fear, lack of health insurance, lack of information, and cost factors;

Whereas National Men's Health Week was established by Congress and first celebrated in 1994 and urged men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illness;

Whereas the Governors of over 45 States issue proclamations annually declaring Men's Health Week in their States;

Whereas since 1994, National Men's Health Week has been celebrated each June by dozens of States, cities, localities, public health departments, health care entities, churches, and community organizations throughout the Nation, that promote health awareness events focused on men and family;

Whereas the National Men's Health Week website has been established at www.menshealthweek.org and features Governors' proclamations and National Men's Health Week events;

Whereas men who are educated about the value that preventive health can play in prolonging their lifespan and their role as productive family members will be more likely to participate in health screenings;

Whereas men and their families are encouraged to increase their awareness of the importance of a healthy lifestyle, regular exercise, and medical checkups; and

Whereas June 9 through 15, 2008, is National Men's Health Week, which has the purpose of heightening the awareness of preventable health problems and encouraging early detection and treatment of disease among men and boys: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress supports the annual National Men's Health Week; and

(2) requests that the President of the United States issue a proclamation calling upon the people of the United States and interested groups to observe National Men's Health Week with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1415

GENERAL LEAVE

Mr. DAVIS of Illinois. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Con. Res. 138, as amended, which expresses Congress's support of Men's Health Week, which is designed to raise awareness of men's health issues and the importance of preventative health care in order to improve the lifespan of American men.

H. Con. Res. 138, which was introduced by the gentleman from Maryland, Representative ELIJAH CUMMINGS, on May 1, 2007, was amended and reported from the Oversight Committee on May 15, 2008, before being passed by voice vote. The measure has the support and sponsorship of 59 Members of Congress, and expresses support for increased medical awareness that will

improve the health and well-being of American men.

According to the Centers for Disease Control and Prevention, all of the 10 leading causes of death among Americans, such as cancer and heart disease, affect our Nation's men at a higher rate than our women. On average, the male life expectancy in America is 6 years lower than the life expectancy of their female counterparts. A leading cause of this disparity is that men are 100 percent less likely to visit a doctor for screening and preventative medical checkups. This reluctance is tragic, as many life-threatening conditions are mitigated when found through early detection.

Congress recognized the need to encourage preventative medicine by increasing health awareness in American men when it established National Men's Health Week in 1994. Now, 14 years later, this commemorative week has helped to raise awareness and lower illness among American men.

Therefore, Mr. Speaker, I urge the swift passage of this measure, as it will continue to encourage the men of our country to take a more active and preventative role in safeguarding their health, and, therefore, the health of America.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of this resolution promoting National Men's Health Week. Across this Nation, men are reminded daily about the benefits of living a healthy life. Whether through exercise, a balanced diet, or regular visits to the doctor, these simple steps can lead to longer, more vibrant lives. Sadly, many men still neglect the basic preventative measures and often fail to realize the ripple effect their declining health can have on those around them.

It is no secret that men have a shorter lifespan than women. Of the 10 leading causes of death in this country, men lead women in all 10. Yes, some of this can be attributed to lifestyle differences. Men are prone to engage in heavier drinking, smoking, and risky behaviors. But the sad reality is that men all too often neglect to seek out the medical help they need. Studies have shown that men are significantly less likely to visit the doctor than women are.

Congress and the President established National Men's Health Awareness Week in May 1994. They chose the week leading up to Father's Day, when our focus on the male figures in our life is greatest, to bring national attention to the critical health issues facing men and to highlight the preventative measures that are necessary and available.

Early detection is vital, and in many cases, increases chances for survival. Men's Health Awareness Week helps bring this information to light and highlights the proactive steps that men can take to improve their chances for a long, healthy life. The benefits of a more proactive approach to men's health extends not only to the individual, but to their families, friends, society, and the Nation.

Better long-term health means fewer medical expenses for families, taxpayers, and employers. When women outlive their spouses, often by more than half a decade, they face the financial, emotional, and physical burden of living out their remaining years in solitude. This can ultimately place undue stress on a family or taxpayers.

Men's Health Awareness Week helps broaden our understanding of the serious health risks facing men and the simple steps we can all take to help mitigate their effects. So I urge my colleagues not only to support this resolution, but to honor its message. If you're a man, go to the doctor. If you're a woman, encourage your husband, brother, son, and friends to do so. Take a walk, go for a jog, or eat a piece of fruit. After all, we all know that an apple a day keeps the doctor away.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. I thank the gentlewoman.

Today, I rise in support of H. Con. Res. 138, supporting National Men's Health Week. Not only should we be recognizing this important health issue this week, but Congress should also be addressing other issues critical to the American people, especially rising fuel prices.

As Americans across this country pay an average of $3.98 per gallon, these prices hit families, and particularly school children. Just yesterday, the Calhoun Times reported in Georgia that, and I quote, ''High gas prices hit high school sports. With gas prices soaring to record heights, the cost of taking teams on the road has become a looming storm on the horizon of high school athletics that has led some to worry what the future may have in store. All across the country, people are dealing with the pinch of high gas prices. With high school teams' main mode of transportation still the average school bus, which runs on diesel, costs are even higher.''

This is unacceptable, Mr. Speaker. We need to act now to lower gas prices.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I urge my colleagues to support this resolution, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, as we observe and promote Men's Health Week, I am pleased to note that both the Illinois Department of Public Health and the City of Chicago's Department of Public Health, under able leadership of their commissioners, place great emphasis on men's health, and have two activities coming up this week; Saturday at Malcolm X College, and next week, the day before Father's Day, at Malcolm X Community College, where the focus is men's health.

I urge passage of this measure.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE STATE OF MINNESOTA'S 150TH ANNIVERSARY.

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 923) recognizing the State of Minnesota's 150th anniversary.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 923

Whereas Minnesota was established as a territory on March 2, 1849, and became the 32nd State on May 11, 1858;

Whereas Minnesota is also known as the ''Gopher State'', the ''North Star State'', and the ''Land of 10,000 Lakes'';

Whereas Minnesota's name comes from the Dakota word ''minesota'', meaning ''water that reflects the sky'', and Native Americans continue to play a defining role in Minnesota's proud heritage;

Whereas the cities of Minneapolis and St. Paul were established after the completion of nearby Fort Snelling, a frontier outpost and training center for Civil War soldiers;

Whereas more than 338,000,000 tons of Minnesota iron ore were shipped between 1940 and 1945 that contributed to the U.S. military victory in World War II, and an additional 648,000,000 tons of iron ore were shipped between 1945 and 1955 that boosted post-war economic expansion in the U.S.;

Whereas in 1889, the Saint Mary's Hospital, now known as the Mayo Clinic, opened its doors to patients in Rochester, Minnesota, and is now known worldwide for its cutting-edge care;

Whereas Minnesota continues to be a leader in innovation and is currently home to more than 35 Fortune 500 Companies;

Whereas Minnesota houses over 30 institutions of higher education including the University of Minnesota, a world-class research university where the first open heart surgery and first bone marrow transplant was performed in the United States;

Whereas farmland spans over half of Minnesota's 54 million acres and the agriculture industry is Minnesota's second largest job market, employing nearly 80,000 farmers;

Whereas Minnesota is the Nation's number one producer of sugarbeets and turkeys;

Whereas Minnesota is a national leader in the production and use of renewable energy,

which helps our Nation reduce its dependency on foreign sources of oil;

Whereas the Mall of America located in Bloomington, Minnesota, is the Nation's largest retail and entertainment complex, spanning 9,500,000 square feet and providing more than 11,000 jobs;

Whereas Minnesota has 90,000 miles of lake and river shoreline, which includes the coast of Lake Superior, the largest of North America's Great Lakes;

Whereas the Minneapolis-St. Paul area is nationally recognized for its parks, museums, and cultural events; and

Whereas the people of Minnesota have a timeless reputation of compassion, strength, and determination: Now, therefore, be it

Resolved, That the House of Representatives congratulates the State of Minnesota on its 150th anniversary and the contributions it continues to make to America's economy and heritage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I am pleased to join my colleagues in the consideration of H. Res. 923, which recognizes the 150th anniversary of the State of Minnesota and highlights its contributions to America's economy and heritage.

H. Res. 923 was introduced by our colleague, Congresswoman MICHELLE BACHMANN of Minnesota, on January 16, 2008, and was considered by and reported from the Oversight Committee on May 1, 2008, by voice vote. This measure has the support and cosponsorship of 120 Members of Congress, including all of the Members from the State of Minnesota.

On March 2, 1849, Minnesota was established as a territory, and it became the 32nd State on March 11, 1858. Also known as the Gopher State, the North Star State, and the Land of 10,000 Lakes, Minnesota's name comes from the Dakota word ''minesota,'' meaning ''water that reflects the sky.''

Minnesota has been and continues to be a leader in innovation in science and education. It is home of the Mayo Clinic, which is known for its cutting-edge medical work, and over 30 institutions of higher education, including the University of Minnesota, a world-class research university, which performed the first open heart surgery and the first bone marrow transplant in America. I should also mention that Minnesota is currently home to more than 35 Fortune 500 companies and is leading the Nation in the production and use of renewable energy.

So, Mr. Speaker, I would like to thank the gentlewoman from Minnesota for sponsoring the measure at hand. Given the 150th anniversary of Minnesota's statehood and the enormous contributions Minnesota has made to our Nation and the world, I urge passage of this resolution.

I reserve the balance of my time.

Ms. FOXX. I yield myself such time as I may consume.

Mr. Speaker, this resolution seeks to commemorate the 150th anniversary of Minnesota becoming a State. In February of 1857, Congress passed an enabling act that defined the State boundaries and authorized the establishment of a State government for the people of Minnesota. Among other things, it called for a convention to establish a State constitution. As is normal in a democracy, the Democrats and Republicans could not come to a final agreement on language, which resulted in the drafting of two distinct constitutions.

Ultimately, a conference committee of five members from each party was formed in order to work out the differences and create one constitution both sides could agree to. This happened in August of 1857. Although neither party agreed to sign along with members of the other party, a consensus on the language was agreed upon and two copies were made and signed. Minnesota's State constitution was born.

A few months later, on May 11, 1858, President James Buchanan signed legislation granting statehood to Minnesota, making it the 32nd State in the Union. Until that point, Minnesota held the status of a territory for more than 9 years. Henry Hastings Sibley, the State's first Governor, famously uttered Minnesota is finally free ''from the trammels of territorial vassalage.''

On this occasion of the sesquicentennial, it is important that we recognize all that Minnesota has to offer. It is truly a time of celebration for the 5 million-plus residents of Minnesota, and there is a lot to celebrate. Its geography and terrain are among the most precious and beautiful our Nation has to offer. It is home to the headwaters of the mighty Mississippi River, which has been so crucial to the development of the economic viability of our Nation.

Minnesota is a land rich in natural resources and remains among the leaders in agriculture and iron production. Minnesota's farming industry feeds and nourishes many of our Nation's citizens today. Minnesotans are known to be a people with a sense of pride in their history and tradition. Many Minnesotans have had profound impact on the lives of people all across our Nation.

□ 1430

For instance, the founders of the world-renowned Mayo Clinic, Dr. William Mayo and his two sons, William and Charles, began their practice in Minnesota.

Minnesota is also the birthplace of one of America's greatest literary figures and favorite authors, F. Scott Fitzgerald. His literary works have reached millions and continue to have a great impact on our youth. Fitzgerald's ''The Great Gatsby'' is regarded as one of the great American novels.

In conclusion, the State of Minnesota is one that is rich in nature, resources, and, most importantly, in people and heritage. For this reason, I ask my colleagues to support H. Res. 923, recognizing the State of Minnesota's 150th anniversary.

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

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I thank the gentlewoman.

I rise in support of H. Res. 923, recognizing the 150th anniversary of the great State of Minnesota. While I rise in support and recognition of this anniversary, I also rise to remind my colleagues that we must address rising fuel prices.

Some have blamed rising fuel prices on those who own and manage big oil companies. In a recent study, however, Robert Shapiro, Undersecretary of Commerce for Economic Affairs under President Bill Clinton, found that the vast majority of oil and natural gas company shares are owned broadly by middle-income Americans through mutual funds, pension funds and individual retirement accounts, while a mere 1.5 percent of the shares of public oil companies are owned by company executives. That means that when Congress levies additional taxes on oil companies, the American public will pay for that tax in one of two ways; either through their pension or mutual funds, or by paying a higher price at the pump.

Mr. Speaker, increasing taxes is not the answer to rising fuel prices.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve.

Ms. FOXX. Mr. Speaker, I yield such time as she may consume to the sponsor of this resolution, my colleague from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding to me.

This is a wonderful, delightful resolution to be able to speak on this afternoon. It is the State of Minnesota's 150th birthday. We have had a big party all year, we are going to continue to have a big party all year, and it is my honor to be able to present this resolution before our distinguished body and also to let the American people know the entire Minnesota delegation has joined me on this resolution. All Democrats, all Republicans, we are united in this great party of celebrating Minnesota's 150th birthday.

Mr. Speaker, as this resolution's author, I rise to support House Resolution 923. As Minnesota turns a very proud 150 years old, we are no worse for the wear as a State, and I am very honored to recognize the contributions that Minnesota has made to the United States economy and to our great heritage of freedom and prosperity.

On March 3rd, 1849, Minnesota was established as a United States territory as part of the Northwest Territory, and later we became the 32nd State in this great country, on May 11, 1858.

Minnesota is now home to over 5 million very lucky people. Minnesota is renowned for our welcoming communities, our high quality schools and our valuable natural resources. Minnesotans take advantage of those resources every weekend that we can, our beautiful lakes, our forests, our prairies. ''Minnesota Nice'' is more than a saying for us; it is our way of life, and we welcome you to come and enjoy our hospitality any time you get to our great State of Minnesota.

We are also known as the Gopher State. We are also known as the North Star State and the Land of 10,000 Lakes. But, truth be told, we actually have over 15,000 lakes in our great State. Our name comes from the Dakota word ''minesota,'' which means ''water that reflects the sky,'' in other words, sky blue waters. And it is that, and more.

Native Americans continue to play an extremely important role in Minnesota and a defining role in our very proud heritage. The influence of the Native Americans can be seen not only in the names of our local towns, our local lakes and our natural landmarks, but also in the enduring culture of conservation of the land and the great love that every Minnesotan shares and our bond with the outdoors.

It was in 1889 that the Saint Mary's Hospital, now known as the world famous Mayo Clinic, opened its doors to patients in Rochester, Minnesota. They are now known worldwide for their cutting-edge care, and quite often in the news we will hear of yet one more world leader who makes their way to little Rochester, Minnesota, to receive what we know in Minnesota is the finest health care system in the United States.

Minnesota also houses, Mr. Speaker, over 30 institutions of higher education. Education is a very strong value in the State of Minnesota, including the world renowned University of Minnesota, a world class research university of which we are all extremely proud and where the Nation's and world's first open heart surgery was performed and also the first bone marrow transplant was performed in the United States.

Minnesota continues to be a leader in innovation. In fact, Minnesota is currently home to more than 35 Fortune 500 companies. Yes, we are the State, Mr. Speaker, that gave you SPAM, and we are the State that gave you the Post-it note.

But our rise in corporate and technological prominence has not compromised our agricultural background. Farmland spans over half of Minnesota's 54 million acres. My father was born on a farm and grew up on a farm, and farming is a way of life for many of our Minnesota people. The ag industry is a jewel in Minnesota and it is Minnesota's second largest job market, employing nearly 80,000 farmers that serve to feed the world.

At a time when energy costs and production are dominating the headlines, Minnesota is a national leader in the protection and use of renewable energy. We are very proud of this fact, and it helps our Nation reduce our dependence on foreign oil.

For 150 years, Mr. Speaker, Minnesota has attracted a very special caliber of people, marked by our spirit and by our character. The citizens of the State of Minnesota are dedicated to our families. Families are very important. Faith is very important in our State, our communities, and also in our Nation. We are people of faith. We are people of charity. We are people of hope and dedication, love and compassion. We have a very high rate of giving in the State of Minnesota.

Mr. Speaker, I hope you and my fellow colleagues will join me in recognizing the rich history and the substantial contributions that Minnesota and Minnesotans have made to this great Nation. We have a lot to be proud of, Mr. Speaker, and this legislation marks yet one more happy milestone in Minnesota's long history of success.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to one of the cosponsors of this resolution, Representative WALZ from Minnesota.

Mr. WALZ of Minnesota. Thank you, Mr. DAVIS, for managing the bill. A special thank you to my colleague from a little further upstate in Minnesota, Mrs. BACHMANN. Thank you for your kind words. Your pride and enthusiasm for our State is evident, and I think all of us who live there understand why.

I, too, rise to ask my colleagues to join me in congratulating the great State of Minnesota, the 32nd State. It is our sesquicentennial, 150 years. From the natural beauty of the Mississippi River, across to the plains near South Dakota, this is a State that amongst the stark beauty has planted the seeds, as you heard my previous colleague talk about, of innovation, from health care to computer technology to agriculture.

I am especially proud to represent the southern area of the State, the First District, those many towns, like Winona along the Mississippi River, which were the stopping points near the upper end of the paddle boats that brought our forebearers to Minnesota. The courthouses and the city halls still represent that long heritage, that rich tradition and that sense of community that had people staking out a new life in the ''big woods,'' in the Land of 10,000 Lakes.

I am proud to have the City of New Ulm in my district. New Ulm is, as you might expect, a very, very German town. It boasts the ''Herman the German'' statue that is the second largest brass statue behind only the Statue of Liberty in the United States. There is the proud tradition of the Minnesota Music Hall of Fame that captures the tradition of the many musicians and folk artists that have come through and lived in Minnesota. Both Winona and New Ulm were capitals of a day, and I am very proud of them during the sesquicentennial celebration.

The City of Rochester, as you heard my colleague mention, the small town on the prairie that the Mayo brothers opened the door to a hospital and have established the most advanced critical hospital in probably the world. The Mayo Clinic is a destination. You must fly there to get there. There is not a large city to draw you there, but there is the absolute guarantee of the most quality care that you can receive anywhere in the world. They are leading the way not only in innovations in medical research, they are leading the way in how we deliver health care to all Americans.

Also the City of Austin, known for many, many things, and one also you heard my colleague mention, the invention of SPAM and the SPAM Museum. Mr. Speaker, I invite you and anyone to please visit this wonderful place. You will find out how SPAM is made, first and foremost, but it also is something about the Hormel Institute and this other great company. They have a research lab that is there that is called the Hormel Institute. By most accounts the Hormel Institute will feature the international conference on carcinogens and in cancer research, especially melanomas, and the Hormel Institute, when the story of how cancer is solved, it will probably start in Austin, Minnesota. It is something we are very proud of, a public-private partnership.

Minnesotans have always prided themselves on their education, of investing in their children. Garrison Keillor talks about all of our children are above average. We know that we have a ways to go, but we do take pride in that, from our many, many public schools and institutions of higher learning, producing one of the highest graduation rates in the country, and usually in the very top three of all SAT and ACT scores. So there is a great pride in this.

It is those residents of Southern Minnesota that I am here today to congratulate, people who have chosen to live in a somewhat harsh climate, to take the opportunity to settle this land, to move into the Upper Midwest and to settle and create not just places to live, but communities that were vibrant and growing, and that understood that the investments we put

back in them would benefit this country.

So, I am proud of our State. I am proud of what our State contributes to this Nation, just like our other 49 States and territories do. This Nation is strongest when we are altogether, and admission of Minnesota as the 32nd State strengthened this great Union. Today I say congratulations to all Minnesotans, and we are looking forward to the next 150 years.

Ms. FOXX. Mr. Speaker, I look forward to the opportunity to visit Minnesota myself later this year. I urge our colleagues to support H. Res. 923, recognizing the State of Minnesota's 150th anniversary, and yield back the balance of my time.

Mrs. BACHMANN. Mr. Speaker, as this resolution's author, I rise to support H. Res. 923. As Minnesota turns a proud 150 years old, I am honored to recognize the contributions she has made to America's economy and heritage.

On March 3, 1849, Minnesota was established as a U.S. territory and later became the 32nd state on May 11, 1858. It is now home to over five million people and is renowned for its welcoming communities, quality schools and valuable natural resources. ''Minnesota Nice'' is more than a saying; it's a way of life.

Minnesota is known as the Gopher State, the North Star State, and the Land of 10,000 Lakes; and its name comes from the Lakota word minesota, meaning ''water that reflects the sky.'' Native Americans continue to play a defining role in Minnesota's proud heritage. Their influence can be seen not only in the names of local towns and lakes and natural landmarks, but also in the enduring culture of conservation and love for the outdoors.

In 1889, the Saint Mary's Hospital, now known as the Mayo Clinic, opened its doors to patients in Rochester, Minnesota and is now known worldwide for its cutting-edge care.

And Minnesota houses over 30 institutions of higher education including the University of Minnesota—a world-class research university where the first open heart surgery and first bone marrow transplant were performed in the United States.

Minnesota continues to be leaders in innovation. In fact, Minnesota is currently home to more than 35 Fortune 500 Companies.

But our rise in corporate and technological prominence has not compromised our agricultural background. Farmland spans over half of Minnesota's 54 million acres and the agriculture industry is Minnesota's second largest job market, employing nearly 80,000 farmers.

At a time when energy costs and production are dominating the headlines, Minnesota is a national leader in the production and use of renewable energy, which helps our nation reduce its dependence on foreign oil.

For one-hundred and fifty years, Minnesota has attracted a special caliber of people, marked by their spirit and character. The citizens of our great state are dedicated to their families, their communities and their country. They are people of faith and charity, hope and dedication, love and compassion.

Mr. Speaker, I hope you and my fellow colleagues will join me in recognizing the rich history and substantial contributions Minnesota has made to its nation. Minnesotans have a lot to be proud of, and this legislation marks another milestone in Minnesota's long history of success.

Mr. DAVIS of Illinois. Mr. Speaker, I would urge passage of this resolution, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 923.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING THE GOALS AND IDEALS OF THE ARBOR DAY FOUNDATION AND NATIONAL ARBOR DAY

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1114) supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1114

Whereas the Arbor Day Foundation was founded in 1972 and now has nearly 1,000,000 members;

Whereas these members and the countless supporters of the Arbor Day Foundation continue to further the mission of the Foundation, which is to ''inspire people to plant, nurture, and celebrate trees'';

Whereas the Arbor Day Foundation manages the 260-acre Arbor Day Farm to serve as a model of environmental stewardship;

Whereas the Arbor Day Foundation distributes more than 10,000,000 trees annually through its Trees for America program;

Whereas the Arbor Day Foundation has worked with the Department of Agriculture's Forest Service since 1990, helping to plant nearly 12,000,000 trees in national forests damaged by fire, insects, or other causes;

Whereas J. Sterling Morton recognized the need for trees in Nebraska and proposed a tree-planting holiday called ''Arbor Day'' in 1872;

Whereas the observation of Arbor Day soon spread to other States and is now observed nationally and in many other countries;

Whereas J. Sterling Morton once observed that ''the cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man''; and

Whereas National Arbor Day, the last Friday in April, will be celebrated on April 25, 2008: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of the Arbor Day Foundation; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Arbor Day with appropriate activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1445

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, I present for consideration H. Res. 1114, which expresses the support of Congress for the environmental goals and ideals of Arbor Day and the work of the Arbor Day Foundation.

H. Res. 1114, which was introduced by my colleague, Representative JEFF FORTENBERRY, on April 16, 2008, was reported from the Oversight Committee on May 1, 2008 by voice vote. This measure has the support and sponsorship of 53 Members of Congress, and recognizes the importance of Arbor Day and the Arbor Day Foundation in preserving America's green spaces.

J. Sterling Morton, the father of Arbor Day, once observed that, ''The cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man.'' Established in 1872 as a tree planting holiday and celebration, Arbor Day has had a powerful and positive effect on America's landscape and ecosystem, and is now observed both nationally as well as in many foreign countries.

Mr. Speaker, we can't speak about National Arbor Day without mentioning the work of the National Arbor Day Foundation which was created with a mission to inspire people to plant, nurture, and celebrate trees. The Foundation has attracted almost 1 million members to become passionate about conservation and is worthy to be commemorated for their efforts to distribute 10 million plus trees annually for planting. And so I ask, Mr. Speaker, that we show our support of Arbor Day and the Arbor Day Foundation by agreeing to H. Res. 1114.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Nebraska, the author of this resolution, Mr. FORTENBERRY.

Mr. FORTENBERRY. I thank the gentlelady from North Carolina for yielding.

Mr. Speaker, J. Sterling Morton, the founder of Arbor Day and an outstanding Nebraskan, once said, ''Each generation of humanity takes the earth as trustees.'' That is the spirit embodied in Arbor Day. The simple act of planting a tree provides resources

and beauty for future generations, and engages in good environmental stewardship. This resolution supports the goals of National Arbor Day and the National Arbor Day Foundation.

I would like to begin by expressing my sincere appreciation to the distinguished gentleman from California (Mr. WAXMAN), the chairman of the Committee on Government Reform, and Mr. CLYBURN of South Carolina for his help today, and the distinguished gentleman from Virginia (Mr. DAVIS), the ranking member of the committee, for their help in bringing this important resolution to the floor.

A bit of history on Arbor Day. J. Sterling Morton served as United States Secretary of Agriculture, and is honored as one of two Nebraskans to have a statue in the United States Capitol. His former home, Arbor Lodge in Nebraska City, is now the centerpiece of a truly magnificent State historical park.

An early pioneer to the Nebraska territory, he first proposed Arbor Day in 1872 to address the absence of trees in Nebraska. Trees were needed to produce fuel and building materials, provide the necessary shade and wind breaks, as well as to prevent soil erosion. It is estimated that Nebraskans planted more than 1 million trees during that first Arbor Day.

Before long, the idea spread. Arbor Day is now celebrated in all 50 States and in many Nations throughout the world. Although National Arbor Day is always the last Friday in April, individual States observe Arbor Day on various dates, according to the most appropriate tree planting times.

Another outstanding Nebraskan, John Rosenow, built upon that legacy. In 1972, he established the National Arbor Day Foundation. Its mission is to ''inspire people to plant, nurture, and celebrate trees.'' Through its Trees for America program, it distributes more than 8 million trees annually. The Foundation has worked with the United States Department of Agriculture's forest service since 1990, helping to plant nearly 4 million trees in national forests that have been damaged by fire, insects, or other natural causes. The Foundation has also branched out beyond the United States borders, promoting environmental activities throughout the world, including rainforest preservations.

Mr. Speaker, it is very appropriate that we honor Arbor Day and its vision of dedication to tree planting. We should also recognize the countless individuals in our country who have planted trees in fulfillment of this important vision.

J. Sterling Morton once also said, ''Other holidays repose on the past. Arbor Day proposes for the future.'' By supporting this resolution, we honor the spirit of Arbor Day. Planting trees is about planting for the future.

Mr. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. I thank the gentlewoman.

I rise in support of H. Res. 1114, supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day. I wholeheartedly support the planting as well as the management of healthy trees and forests. The Forest Service has estimated that a healthy and well managed forest could sequester much more of our national carbon emissions than our forests currently sequester, currently sequestering an estimated 10 percent of our national carbon emissions.

I rise in support of this resolution. I also rise to urge my colleagues to address other issues facing our Nation, especially rising fuel prices. Increasing the supply of crude oil and ultimately its price is the single most effective thing Congress can do to lower gas prices. Today, 73 percent of every dollar we pay for gasoline is the price of producing crude oil. And yet, according to a study just released by the Bureau of Land Management, while onshore public lands in the United States are estimated to contain 31 billion barrels of oil and 231 trillion cubic feet of natural gas, some 60 percent of these lands are completely closed to leasing. Congress must act to lift the restrictions on America's energy rich public lands and increase exploration for and production of American crude oil and natural gas, and do so in an environmentally friendly manner.

Mr. DAVIS of Illinois. Mr. Speaker, I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from Nebraska for introducing this resolution.

I am reminded that my mother was a serious conservationist who just loved the beauty of flowers and trees. I would urge passage of this resolution as I close by remembering the words of Joyce Kilmer who had a poem called ''Trees.'' He said that:

I think that I shall never see
A poem so lovely as a tree.
A tree that may in summer wear
A nest of robins in her hair;
Upon whose bosom snow has lain;
Who intimately sleeps with the rain.
Poems are made by fools like me,
But only God can make a tree.

I would urge passage.

Ms. FOXX. Mr. Speaker, I rise today in support of this resolution honoring the goals and ideals of the Arbor Day Foundation and National Arbor Day.

Trees—They provide us with shelter and warmth. They clean the air we breathe. Their majesty inspires awe and alters landscapes. Mankind owes its livelihood to these miracles of nature, yet it is so easy to overlook their importance and beauty.

These traits were not lost to J. Sterling Morton, a pioneer who moved from Detroit to the unforgiving, treeless plains of the Nebraska Territory in 1854. A journalist and avid lover of nature, Morton used his position as editor of Nebraska's first newspaper to spread agricultural information and his enthusiasm for trees.

His words did not fall on deaf ears. Fellow pioneers soon realized how valuable trees were to their survival, not only for fuel and building materials, but for the stability of the soil and shade from the arid sun.

Once appointed as the secretary of the Nebraska Territory, on January 4, 1872 Morton first proposed a tree-planting holiday called ''Arbor Day.'' That same year, on April 10, citizens across Nebraska planted over one million trees.

The first official Arbor Day was held on April 10, 1874 and by 1885 it became a legal holiday in Nebraska to be celebrated on April 22, J. Sterling Morton's birthday. Throughout the 1870's the appeal spread across the nation and it was not long before Arbor Day was celebrated in each state of the United. States.

Today, Arbor Day is observed not only throughout this great nation, but across the globe. While most states observe Arbor Day on the last Friday in April, celebrations have evolved to correspond with varying ideal planting weather.

In response to growing national and international popularity, the Arbor Day Foundation was founded in 1972 to ''inspire people to plant, nurture, and celebrate trees.'' The Arbor Day Foundation fuels their mission through the Arbor Day Farm, promoting and coordinating events, working with government and corporate entities, and distributing over' 10 million trees annually.

What began as a local holiday born of one man's enthusiasm has flourished into a global celebration. From Florida to Oregon and Cambodia to Venezuela, people gather to honor the ideals of Arbor Day.

I urge my colleagues to support this resolution and cherish its goal, captured convincingly in the words of its founder, J. Sterling Morton—''the cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man.''

Mr. Davis of Illinois. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1114.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

DR. MARTIN LUTHER KING, JR., POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1734) to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the ''Dr. Martin Luther King, Jr., Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DR. MARTIN LUTHER KING, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, shall be known and designated as the ''Dr. Martin Luther King, Jr. Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Dr. Martin Luther King, Jr. Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the sponsor of this resolution, Representative BLUMENAUER from the State of Oregon.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy.

I rise today in asking my colleagues to join me in this legislation to designate the facility of the postal service on Northeast Killingsworth in Portland as the Dr. Martin Luther King, Jr., Post Office.

Dr. King, as a powerful symbol of racial justice and social equality in our country, is a fitting designation for this facility. I have had some experience in the community dealing with recognition for Dr. King. Some 20 years ago as Portland's Commissioner of Public Works that I worked with the community, notably of my friend Bernie Foster, the publisher of The Scanner newspaper, and others, to designate Union Avenue after Dr. King. It was an eye opening experience for me, a reminder of the troubled racial past of our community and our State. While Oregon has a rich cultural heritage for black Americans, it had a rocky path towards racial equality.

While slavery was declared illegal early in Oregon's history, in 1848, the provisional government had exclusionary laws surrounding land ownership. And when Oregon was admitted to the Constitution, it had exclusionary laws then. It was only after a long and aggressive struggle that progress was made.

In 1914, the NAACP opened a chapter in Portland, and continues to be the oldest continually chartered chapter west of the Mississippi. This movement was bolstered by the independent black owned weekly newspaper, The Advocate, that dated back 105 years in Portland that tirelessly featured articles and editorials dealing with the evils of segregation, lynching, employment opportunities, and other issues that kept the reality of Jim Crow and the pressing need for civil rights in the State, local, and national agenda in the forefront. Sadly, it wasn't until 1927 that the Oregon State Constitution was finally amended to remove the clause denying blacks the right to vote, even though Oregon had ratified the 14th amendment in 1868.

We have been, in our community, trying to come to grips with that past. And, as I mentioned, it was a tumultuous experience we had 20 years ago in the renaming of Union Avenue after Dr. King. But it did come to pass. In the course of the 20 years, we have watched steady progress as we have dealt with our past and as we look forward to the future.

I find the renaming of this post office after Dr. King to be significant on so many different levels. First of all, it came about as the result of a grassroots community effort led by local letter carriers, Jamie Partridge and Isham Harris, that epitomized the service from that particular post office, something that people in the community remark to me as sort of an island, one of these 37 outposts of the post office where half the world's mail is delivered every day. But this is a linkage to people, and it is a very special office signified by the leadership of letter carriers themselves.

□ 1500

Starting with their fellow workers, moving out through the Piedmont and Concordia Neighborhood Associations, the Sabin Neighborhood Association, showing deep community pride in its heritage.

I find today, Mr. Speaker, that it is particularly noteworthy because we are going to make history, in all likelihood, tonight or tomorrow, where there will be enough votes for the nomination of the first African American nominee of a major party for President of the United States, and one who I sincerely hope is elected.

Having the opportunity to reflect on that great national achievement, while we have the recognition locally for Dr. King and his achievements and the progress that has been made in our community gives me great pride. I'm pleased that we take a small step forward with the designation of this Post Office in the honor of Dr. King, and hope that my colleagues will join me in supporting it.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today to express my strong support of this bill designating the post office located at 630 Northeast Killingsworth Avenue in Portland, Oregon as the Dr. Martin Luther King, Jr. Post Office.

Dr. Martin Luther King, Jr. is one of the most important public figures of our times. His leadership during the civil rights movement helped to make America the country it is today, a country that strives for equality, justice and liberty for all its citizens. Dr. King is an American icon and, as such, deserves this honor and recognition.

Dr. King, a southern Baptist minister, was instrumental in leading the civil rights movement during the 1950s and 60s. After his march on Washington in 1963, Dr. King's memorable and often quoted I Have a Dream speech established him as one of the greatest public speakers of his time.

In over 2,500 speeches over the course of his career Dr. King cried out against segregation and other forms of racial inequity, bringing discrimination to the forefront of people's minds and making civil rights a primary concern.

His ceaseless efforts to end racial discrimination and segregation through nonviolent means earned him a Nobel Peace Prize in 1964, making him the youngest recipient in history. He has also been honored with a Presidential Medal of Freedom and a Congressional Gold Medal. In 1983 Congress established a national holiday as a tribute to his memory.

Widely recognized as one of the most pivotal figures in the battle to end bigotry and discrimination on the basis of race, Dr. King led the Montgomery Bus Boycott in 1955, helped to found the Southern Christian Leadership Conference in 1957, and was instrumental in orchestrating the famous Birmingham, Alabama protests.

Towards the end of his life, Dr. King expanded his message to apply to impoverished Americans. The Poor People's Campaign focused on the economic injustice and tried to reach out to poor people of all races and cultures. Dr. King dedicated his life to ensuring the principles this country holds so dear, those of liberty and justice for all citizens.

I thank my respected colleague, EARL BLUMENAUER, for introducing this legislation, and reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, as a member of the House Committee on Oversight and Government Reform, it is my unique pleasure to join my colleagues in the consideration of H.R. 1734, which designates the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon as the Martin Luther King, Jr. Post Office.

The naming of a postal facility in Northwest America, hundreds of miles from Dr. King's civil rights battlefield in the Deep South, is a strong testimony to the far-reaching impact this pivotal figure had on our Nation as a whole.

H.R. 1734 was introduced by Representative EARL BLUMENAUER of Oregon on March 28, 2007, and was considered by and reported from the Oversight Committee on April 9, 2008, by voice vote.

Mr. Speaker, we're all well aware of the activism of Dr. Martin Luther King during his lifetime on this Earth. From his leadership in helping to organize the Montgomery Bus Boycott in 1955, to his riveting I Have a Dream speech, Dr. King reminded our country of its fundamental responsibility to safeguard the natural, God-given rights of all men so that we are free to pursue our goals and aspirations without the artificial walls of skin color, religious affiliation, sexuality or any other pointless barrier that separates us from our fellow human persons.

Mr. Speaker, let us join our colleagues from the great State of Oregon, and once again pay tribute to the life and work of the great Reverend Dr. Martin Luther King, Jr. by renaming this postal facility at 630 Northeast Killingsworth Avenue in Portland, Oregon in honor of this great American hero. I strongly urge passage of this bill.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I rise in support of this bill to designate this Portland post office in the name of and memory of Dr. Martin Luther King, Jr.

While I support this designation, I note with some disappointment that we are not also addressing rising fuel prices on this week's schedule. Dr. King spoke passionately about our Nation's moral obligation to make sure that the needs of the poor and the elderly are met.

American senior citizens and low-income households have been disproportionately affected by higher energy costs. In 2006, before the skyrocketing and record-breaking fuel price increases we are seeing today, low-income households in America spent nearly 20 percent of their income on energy-related expenditures.

This is a moral issue, an issue which, for many low-income families, senior citizens and hardworking families, affects their access to education, and even to their doctors. It's time for Congress to act on that moral obligation to take care of the poor and the elderly, and lift the restrictions on America's energy rich public lands to increase exploration for and production of American crude oil and natural gas, and do so in an environmentally friendly manner.

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve time.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 1734.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of our time and urge support for this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 1734.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHI MUI POST OFFICE BUILDING

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5477) to designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the ''Chi Mui Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHI MUI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, shall be known and designated as the ''Chi Mui Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Chi Mui Post Office Building''.

THE SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina, (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Now, Mr. Speaker, it's my pleasure to yield such time as he might consume to the sponsor of this resolution, Representative ADAM SCHIFF from California.

Mr. SCHIFF. I thank the gentleman from Illinois for yielding, and I want to thank him, Mr. WAXMAN and the staff on the committee for working with me on this legislation.

I'm proud to stand here today to honor a well-respected and dedicated leader from the San Gabriel Valley. Mr. Chi Mui was a beloved member of the Asian American community in Southern California, and the mayor of the city of San Gabriel, where he dedicated himself to improving the quality of life for his neighbors, community and country. I can't think of a more fitting tribute to such an exceptional man than naming the post office in San Gabriel, the town where he touched so many lives, in his honor.

Chi Mui's story epitomizes the American dream. Born in Toisan, China, Chi Mui was a man of humble origins whose early experiences enabled him to relate and connect to the Asian community in California.

After spending many of his early years in Hong Kong, Chi moved with his parents to New York City's vibrant Chinatown in 1963, at the age of 10. Chi spoke Cantonese with his parents, who were a seamstress and a cook, but quickly immersed himself in the language of his new home. As a new immigrant, he remembered feeling like an outsider on the edge of society, and found refuge, his own oasis in the New York Public Library, where he broadened his mind and developed a lifelong commitment to supporting public libraries.

His time reading and studying in the library served him well as he continued his schooling, graduating cum laude with a bachelor's degree in civil engineering from Polytechnic University in New York in 1980. After attending New York University, he moved west and began his distinguished career in public service.

In Los Angeles he served as deputy to one of our colleagues, LUCILLE ROYBAL-ALLARD, and later to California State Senator, Richard Polanco. As their deputy, and in his own time, Chi began working to better the lives of immigrants in the region. Chi Mui's immigrant roots and experiences gave him a special insight and the wisdom and ability to connect with generations of people who came to this country for a better life.

Chi was a key player in the development of 600 units of affordable and senior housing in Los Angeles' Chinatown, and taught citizenship classes to help hundreds of legal residents become U.S. citizens. In 1999 he led an alliance of community leaders, neighborhood groups and businesses to save 50 acres of open space known as the ''Cornfield'' in downtown Los Angeles. This land became California's first ever urban State park, and is now known as the Los Angeles State Historic Park.

An avid runner and an athlete, he cared deeply about improving recreational facilities and opportunities for youth in the urban area of Los Angeles, and helped obtain $35 million in State funding in 2001 for recreational facilities and activities in the new Los Angeles State Historic Park.

Chi also helped expand the capacity of the Alpine Recreation Center, which doubled in size due to his efforts. He volunteered his time to coach youth at the Alpine Center where he taught teamwork and sportsmanship.

He also founded and co-founded the Los Angeles Chinatown Athletic Association Volleyball Club and created a night basketball program for at-risk youth. Youth are still benefiting from his legacies. Both programs are still going strong today.

Chi Mui's experience as an immigrant and his close ties to his Chinese heritage led him to be active in the Chinese American community in the L.A. area. In recognition of his leadership, he was elected President of the Los Angeles Chinese American Citizens Alliance twice. The Alliance was founded in San Francisco in 1895, and advocates for equal political, economic and educational opportunities for Chinese Americans.

Chi believed in working together with everyone, and often brought different cultures and races together to work on common problems. While he was close with the Chinese American community, he also worked hand in hand with the Indochinese and Chinese-Vietnamese communities, and he was an important link between the Asian American community in San Gabriel and all other residents where he served on the San Gabriel City Council.

Chi Mui was one of only a handful of first-generation Chinese Americans to successfully run for office when he was elected to the San Gabriel City Council in March of 2003. He made history as the first Asian and Chinese American City Council member and mayor since the City of San Gabriel's incorporation in 1913.

Remembering how important library access was to him, Chi was a devoted member of the Friends of San Gabriel Public Library, and led the effort to open the county public library in San Gabriel on Saturdays to provide more services to residents and students without increasing costs.

However, his personal passion on the City Council was the ''greening'' of the community, and he worked tirelessly to preserve the quality of life that San Gabriel residents value. A long-time advocate of parks and open space, Chi Mui helped the city obtain funds for the master plan and redesign of Vincent Lugo Park, and successfully pushed for additional trees and greenery on neighborhood streets.

For several years, Chi fought a courageous battle with cancer, during which he continued his work for the residents of San Gabriel. On April 27, 2006, at the age of 53, Chi passed away with his wife Betty and a few close friends at his side.

□ 1515

He was greatly loved by the City of San Gabriel, and those who knew him saw his commitment to making the city a wonderful community for lifelong residents and new commerce as well.

I greatly enjoyed the chance to work with him during his tenure on the city council and know I speak for a great many when I say how much we all miss him.

People around the country recently finished celebrating Asian Pacific American Heritage Month which ended on Saturday, May 31. Asian Americans have touched many lives around the country, and Chi Mui is no exception. It is fitting that we pass this legislation, H.R. 5477, which will add yet another Asian American name to a very short list of post offices honoring this important community.

Chi Mui will never be forgotten by those who knew him. He had a profound effect on the people of southern California and the City of San Gabriel. Future generations will recognize his good work in our community as we preserve his memory and rename the San Gabriel post office in his honor.

I thank again the gentleman from Illinois.

Mr. DAVIS of Illinois. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5477, legislation to name the post office in San Gabriel, California, in honor of Chi Mui.

Today, we honor Chi Mui who passed away from cancer on April 27, 2006. His accomplishment in serving the citizens of San Gabriel, California, as the first Asian and Chinese American council member and mayor of San Gabriel was a testament to his lasting dedication and friendship to the community.

The modest beginning of Chi Mui's life did not forecast the dramatic and incredible impact he would have on the people of Los Angeles. Born in China on October 26, 1952, Mayor Mui was the son of a seamstress and a cook. At the age of 10, he moved with his family out of his home in China and into New York City where he quickly learned to speak English. In 1980, Mayor Mui graduated cum laude with a degree in civil engineering from Polytechnic University of New York and subsequently moved to southern California.

Before being elected to the San Gabriel City Council in 2003, Mayor Mui wasted no time in devoting his efforts to his new community. He was instrumental in developing 600 units of affordable and senior housing in Los Angeles's Chinatown and spent his time teaching citizenship classes in order to help hundreds of fellow immigrants achieve citizenship in their new home.

A passion for open space, Mayor Mui led the efforts to obtain the space and the $35 million necessary to build the first urban state park in downtown Los Angeles. Mayor Mui was also a devoted athlete and cofounded the Los Angeles Chinatown Athletic Association Volleyball Club where he worked as a coach teaching and reinforcing life lessons that continue well beyond volleyball.

In a city where one in two residents is Asian, Mayor Mui played a role as liaison between the city government and the Asian community. As a city council member, he led the efforts to open the county public library in San Gabriel on Saturdays to provide greater access to residents without increasing cost.

His tireless work for the Asian community was recognized when he was twice elected President of the Los Angeles Chinese American Citizens Alliance.

Recognizing his ability and devotion to San Gabriel in the Asian community, the council appointed him vice-mayor in 2005. In 2006, it elevated him to the position of mayor, an invaluable step that linked the members of the Asian community.

With gratitude to his service to the San Gabriel community, I ask all Members to join me in supporting H.R. 5477.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I rise to present for our consideration H.R. 5477, which names the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the ''Chi Mui Post Office Building.''

Chi Mui is best known for his commitment to public service as the former mayor of the Southern California City of San Gabriel. H.R. 5477 was first introduced by Representative ADAM SCHIFF on February 21, 2008, and is supported by over 50 Members of Congress, many of whom hail from the State of California. The bill before us has been considered by the Oversight Committee and was approved by the panel on April 16, 2008, by voice vote.

Regarded as a role model to those interested in pursuing public service, Mayor Mui was able to rise from the most humble beginnings to become one of Southern California's most respected local leaders and social advocates.

A tireless fighter for immigrant rights and affordable housing, Chi Mui's accomplishments and contributions go beyond his service as mayor of San Gabriel of California, to include his work on improving opportunities for deserving youth and ensuring inclusion and integration of Southern California's Asian American population.

Mr. Speaker, it was only a few short weeks ago that we here in the House were celebrating both National Public Service Recognition Week and Asian Pacific American Heritage Month. Mayor Chi Mui's life helped to highlight the significance of celebrating both of these commemorative celebrations. Therefore, I ask my colleagues to join me in recognizing this extraordinary American citizen by passing H.R. 5477.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Idaho (Mr. SALI).

Mr. SALI. Mr. Speaker, I rise in support of H.R. 5477 designating this post office in the name of Chi Mui.

While I rise in support of this resolution, I again rise to urge my colleagues to address rising fuel prices. Chi Mui's efforts to improve his community are

akin to the efforts of America's charitable organizations that seek to meet the needs of Americans all across our lands. Today, as Americans across this country pay $3.98 per gallon at the pump, these prices hit nearly every facet of life, including those charities providing care for many Americans in need.

One Tennessee paper reported today on the effects these prices are having on charities, and it says, ''Nonprofit agencies and charities that rely on voluntary drivers to help carry out their work say soaring gas prices are forcing volunteers to scale back or even stop driving. This means there are fewer people to drive cancer patients to treatment and fewer people to deliver food to the needy.''

Congress has a moral obligation to address rising fuel prices by immediately lifting the restrictions on America's energy-rich public lands to increase exploration for and production of American crude oil and natural gas and to do so in an environmentally friendly manner.

Ms. FOXX. Mr. Speaker, I urge all Members to support the passage of H.R. 5477, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I urge support for this resolution, and I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 5477.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SENIOR EXECUTIVE SERVICE DIVERSITY ASSURANCE ACT

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3774) to provide for greater diversity within, and to improve policy direction and oversight of, the Senior Executive Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3774

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 ''Senior Executive Service Diversity Assurance Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) according to the Government Accountability Office—

(A) minorities made up 22.5 percent of the individuals serving at the GS–15 and GS–14 levels and 15.8 percent of the Senior Executive Service in 2007;

(B) women made up 34.3 percent of the individuals serving at the GS–15 and GS–14 levels and 29.1 percent of the Senior Executive Service in 2007; and

(C) although the number of career Senior Executive Service members increased from 6,110 in 2,000 to 6,555 in 2007, the representation of African-American men in the career Senior Executive Service declined during that same period from 5.5 percent to 5.0 percent; and

(2) according to the Office of Personnel Management—

(A) black employees represented 6.1 percent of employees at the Senior Pay levels and 17.8 percent of the permanent Federal workforce compared to 10.1 percent in the civilian labor force in 2007;

(B) Hispanic employees represented 4.0 percent of employees at the Senior Pay levels and 7.8 percent of the permanent Federal workforce compared to 13.3 percent of the civilian labor force in 2007; and

(C) women represented 28.2 percent of employees at the Senior Pay levels and 43.9 percent of the permanent Federal workforce compared to 45.7 percent of the civilian labor force in 2007.

SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) the term ''Director'' means the Director of the Office of Personnel Management;

(2) the term ''Senior Executive Service'' has the meaning given such term by section 2101a of title 5, United States Code;

(3) the terms ''agency'', ''career appointee'', and ''career reserved position'' have the meanings given them by section 3132 of title 5, United States Code; and

(4) the term ''SES Resource Office'' means the Senior Executive Service Resource Office, established under section 4.

SEC. 4. SENIOR EXECUTIVE SERVICE RESOURCE OFFICE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director shall establish within the Office of Personnel Management an office to be known as the Senior Executive Service Resource Office. The mission of the SES Resource Office shall be—

(1) to improve the efficiency, effectiveness, and productivity of the Senior Executive Service through policy formulation and oversight;

(2) to advance the professionalism of the Senior Executive Service; and

(3) to ensure that, in seeking to achieve a Senior Executive Service reflective of the Nation's diversity, recruitment is from qualified individuals from appropriate sources.

(b) FUNCTIONS.—It shall be the function of the SES Resource Office to make recommendations to the Director with respect to regulations, and to provide guidance to agencies, concerning the structure, management, and diverse composition of the Senior Executive Service. In order to carry out the purposes of this section, the SES Resource Office shall—

(1) take such actions as the SES Resource Office considers necessary to manage and promote an efficient, elite, and diverse corps of senior executives by—

(A) creating policies for the management and improvement of the Senior Executive Service;

(B) providing oversight of the performance, structure, and composition of the Senior Executive Service; and

(C) providing guidance and oversight to agencies in the management of senior executives and candidates for the Senior Executive Service;

(2) be responsible for the policy development, management, and oversight of the Senior Executive Service pay system;

(3) develop standards for certification of each agency's Senior Executive Service performance management system and evaluate all agency applications for certification;

(4) be responsible for developing and monitoring programs for the advancement and training of senior executives, including the Senior Executive Service Federal Candidate Development Program;

(5) provide oversight of, and guidance to, agency executive resources boards;

(6) be responsible for the administration of the qualifications review board;

(7) establish and maintain annual statistics (in a form that renders them useful to appointing authorities and candidates) on—

(A) the total number of career reserved positions at each agency;

(B) the total number of vacant career reserved positions at each agency;

(C) of the positions under subparagraph (B), the number for which candidates are being sought;

(D) the number of individuals who have been certified in accordance with section 3393(c) of title 5, United States Code, and the composition of that group of individuals with regard to race, ethnicity, sex, age, and individuals with disabilities;

(E) the composition of the Senior Executive Service with regard to race, ethnicity, sex, age, and individuals with disabilities;

(F) the composition of executive resources boards with regard to race, ethnicity, sex, and individuals with disabilities; and

(G) the composition of qualifications review boards with regard to race, ethnicity, sex, and individuals with disabilities;

(8) make available to the public through the official public internet site of the Office of Personnel Management, the data collected under paragraph (7);

(9) establish mentoring programs for potential candidates for the Senior Executive Service, including candidates who have been certified as having the executive qualifications necessary for initial appointment as a career appointee under a program established pursuant to section 3396(a) of title 5, United States Code;

(10) conduct a continuing program for the recruitment of women, members of racial and ethnic minority groups, and individuals with disabilities for Senior Executive Service positions, with special efforts directed at recruiting from educational institutions, professional associations, and other sources;

(11) advise agencies on the best practices for an agency in utilizing or consulting with an agency's equal employment or diversity office or official (if the agency has such an office or official) with regard to the agency's Senior Executive Service appointments process; and

(12) evaluate and implement strategies to ensure that agencies conduct appropriate outreach to other agencies to identify candidates for Senior Executive Service positions.

(c) PROTECTION OF INDIVIDUALLY IDENTIFIABLE INFORMATION.—For purposes of subsection (b)(8), the SES Resource Office may combine data for any agency that is not named in section 901(b) of chapter 31, United States Code, to protect individually identifiable information.

(d) COOPERATION OF AGENCIES.—The head of each agency shall provide the Office of Personnel Management with such information as the SES Resource Office may require in order to carry out subsection (b)(7).

SEC. 5. CAREER APPOINTMENTS.

(a) PROMOTING DIVERSITY IN THE CAREER APPOINTMENTS PROCESS.—Section 3393 of title 5, United States Code, is amended—

(1) in subsection (b), by inserting after the first sentence the following: ''In establishing an executive resources board, the head of the agency shall, to the extent practicable, ensure diversity of the board and of any subgroup thereof or other evaluation panel related to the merit staffing process for career appointees, by including members of racial and ethnic minority groups, women, and individuals with disabilities.''; and

(2) in subsection (c)(1), by adding after the last sentence the following: ''Consideration should also be given to improving diversity by including members of racial and ethnic minority groups, women, and individuals with disabilities on qualifications review boards.''.

(b) REGULATIONS.—Within 1 year after the date of the enactment of this Act, the Director shall promulgate regulations to implement subsection (a) and to improve diversity in executive

resources boards and qualifications review boards.

(c) REPORT.—Within 1 year after the date of the enactment of this Act, the Director shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report evaluating agency efforts to improve diversity in executive resources boards and of the members designated by agencies to serve on qualifications review boards, based on the information collected by the SES Resource Office under subparagraphs (F) and (G) of section 4(b)(7).

SEC. 6. ENCOURAGING A MORE DIVERSE SENIOR EXECUTIVE SERVICE.

(a) SENIOR EXECUTIVE SERVICE DIVERSITY PLANS.—Within 1 year after the date of the enactment of this Act, each agency, in consultation with the Office of Personnel Management, shall submit to the Office of Personnel Management a plan to enhance and maximize opportunities for the advancement and appointment of minorities, women, and individuals with disabilities in the agency to the Senior Executive Service. Agency plans shall address how the agency is identifying and eliminating barriers that impair the ability of minorities, women, and individuals with disabilities to obtain appointments to the Senior Executive Service and any actions the agency is taking to provide advancement opportunities, including—

(1) conducting outreach to minorities, women, and individuals within the agency and outside the agency;

(2) establishing and maintaining training and education programs to foster leadership development;

(3) identifying career enhancing opportunities for agency employees;

(4) assessing internal availability of candidates for Senior Executive Service positions; and

(5) conducting an inventory of employee skills and addressing current and potential gaps in skills and the distribution of skills.

Agency plans shall be updated at least every 2 years during the 10 years following enactment of this Act. An agency plan shall be reviewed by the Office of Personnel Management and, if determined to provide sufficient assurances, procedures, and commitments to provide adequate opportunities for the advancement and appointment of minorities, women, and individuals with disabilities to the Senior Executive Service, shall be approved by such Office. An agency may, in updating its plan, submit to the Office of Personnel Management an assessment of the impacts of the plan.

(b) SUMMARY AND EVALUATION.—Within 180 days after the deadline for the submission of any report or update under subsection (a), the Director shall transmit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report summarizing and evaluating the agency plans or updates (as the case may be) so submitted.

(c) COORDINATION.—The Office of Personnel Management shall, in carrying out subsection (a), evaluate existing requirements under section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-16) and section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and determine how agency reporting can be performed so as to be consistent with, but not duplicative of, such sections and any other similar requirements.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I introduced H.R. 3774, the Senior Executive Diversity Assurance Act, on October 9, 2007. The bill was considered by the Federal Workforce Subcommittee on April 15, 2008, and by the full Committee on Oversight and Government Reform on May 1, 2008, when it was approved with amendment by voice vote.

Mr. Speaker, I want wanted to thank Senator AKAKA for introducing a companion bill in the Senate, S. 2148, and for co-chairing an April 3, 2008, joint hearing where both the House and the Senate Federal Workforce Subcommittees examined the need for legislation to improve diversity at the highest levels of the Federal Government.

According to data from the Office of Personnel Management, the percentage of minorities and women at senior pay levels in the Federal Government, including the SES, is lower than in the civilian workforce and the Federal workforce as a whole. According to GAO, the number of African American men in the SES actually decreased between the years of 2000 and 2007. I believe that H.R. 3774 takes an important step towards improving the diversity of the Senior Executive Service.

This bill is a long time coming. Since 2003, I have requested Government Accountability Office reports and hearings on this issue. As chairman of the Subcommittee on the Federal Workforce Postal Service in the District of Columbia, I held a hearing in May 2007 on diversity in the SES. Following that hearing, my staff and I met with a number of Federal employee organizations, including the African American Federal Executives Association, the National Association of Hispanic Federal Executives, the Asian American Government Executives Network, Federally Employed Women, Blacks in Government, and the Senior Executives Association.

We learned that the lack of diversity in the SES is not skewed to a shortage of women and minorities at the GS–15 and GS–14 levels, which are the development pools for the SES. According to the Government Accountability Office, in 2007, minorities made up 22.5 percent of the employees in the SES development pool. At the same time, minorities made up only 15.8 percent of the SES. Rather, we heard that there are concerns with the selection process, and there is a lack of oversight and accountability in promoting and hiring minorities in the SES.

The Senior Executive Service Diversity Assurance Act aims to address these concerns. H.R. 3774, as reported by the Committee on Oversight and Government Reform, reestablishes the Senior Executive Service Resource Office within the Office of Personnel Management and adds new requirements for the office such as requiring the collection of data on the mark-up of the selection panels that considered candidates for SES positions. OPM currently encourages agencies to make these panels diverse but collects no data on the panels.

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The bill requires agencies to ensure diversity by including, to the extent practicable, minorities, women, and individuals with disabilities on executive resources boards and any other panels or subgroups used to select SES appointees. This bill provides that OPM and agencies should also give consideration to improving diversity in qualifications review boards, which are the panels set up by OPM to certify the leadership qualifications of potential SES appointees. The bill requires OPM to issue regulations and report to Congress on agency efforts to improve the diversity of executive resources boards and qualifications review boards.

Finally, under this bill, agencies will be required to submit diversity plans, modeled on the current requirement that agencies submit plans for the hiring and advancement of individuals with disabilities. Each agency must submit a plan to OPM describing what efforts the agency is making to enhance and maximize opportunities for the advancement and appointment of minorities, women, and individuals with disabilities to the SES. These plans will have to be updated every 2 years for 10 years, and OPM will be required to submit a report to Congress summarizing and evaluating agency plans. I have also included a findings section that will help explain the purpose and intent of the legislation which is to address the concerns of the numbers of minorities in the SES.

Diversity will not be achieved in the SES on good intentions and failed policies. Now is the time to improve diversity in the SES, particularly since 90 percent of the current SES corps will retire over the next 10 years. Diversity of gender, ethnicity, age, and disabilities, as well as diversity of education, thinking, and experience are crucial if the Federal workforce is to mirror the communities we live in and serve. Paying close attention to diversity is the key to staying competitive in an increasingly global economy and recruiting the best and brightest workforce. It is my belief that all Americans want to work for organizations where they have the opportunity to use their skills, their knowledge to develop their careers. The Senior Executive Service Diversity Assurance Act will help provide that opportunity.

Therefore, Mr. Speaker, I urge passage of H.R. 3774.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 3774, the Senior Executive Service Diversity Assurance Act.

In April of this year, the Department of Justice wrote to the committee raising a number of constitutional concerns with the introduced version of this legislation. While a number of changes were made to address these concerns during committee consideration of the legislation, some remained concerned that the legislation could still be vulnerable to constitutional challenges. For example, making demographic information about these senior executive service candidates and incumbents available for hiring purposes could suggest that this information should be taken into account in the selection process.

But I stand before you today to raise a concern much bigger than the state of our Federal workforce. I stand before you today to bring your attention to the woeful lack of attention that has been given this Congress to the skyrocketing gas prices throughout this Nation.

Throughout the country, for the first time in our history, a gallon of gas at local gas stations averages more than $4, and there appears to be no relief in sight for working class Americans.

House Republicans have introduced a comprehensive plan to lower gas prices and preserve energy independence. The Republican plan would increase the production of American-made energy in an environmentally safe way. It would promote new, clean, and reliable energy sources. It would cut red tape and increase the supply of American-made fuel and energy. And it would encourage greater efficiency by offering conservation tax incentives.

The Democrats, however, have no such plan to help American families and small businesses deal with their increasing pain at the pump.

At a time when our country is facing a serious crisis in energy prices, with all due respect to my colleague from Illinois, my assumption is that most Americans would prefer that we focus on solving America's energy woes, rather than spending valuable floor time debating the creation of various offices within the Office of Personnel Management.

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

Mr. DAVIS of Illinois. Mr. Speaker, I continue to reserve our time.

Ms. FOXX. Mr. Speaker, I have no further speakers and yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, in closing, I want to thank and commend chairman of the Oversight Committee, Representative HENRY WAXMAN, and the ranking member, Representative TOM DAVIS, for their outstanding leadership and work on this legislation.

I also want to commend all of our staff persons on both sides of the committee, both the Democratic side and the Republican side. And especially do I want to commend my staff director for the Subcommittee on the Federal Workforce, District of Columbia and Postal Service, Ms. Tania Shand, for the tremendous work that she has done on this issue over the last 3 years in actuality.

And with that, Mr. Speaker, I urge passage of this bill.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 3774, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TELEWORK IMPROVEMENTS ACT OF 2008

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4106) to improve teleworking in executive agencies by developing a telework program that allows employees to telework at least 20 percent of the hours worked in every 2 administrative workweeks, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4106

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 ''Telework Improvements Act of 2008''.

SEC. 2. TELEWORK.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 63 the following:

''CHAPTER 65—TELEWORK

''§ 6501. Definitions

''For purposes of this chapter—

''(1) the term 'agency' means an Executive agency (as defined by section 105), except as provided in section 6506(c);

''(2) the term 'telework' or 'teleworking' refers to a work arrangement under which an employee regularly performs the duties and responsibilities of such employee's position, and other authorized activities, from home or another worksite removed from the employee's regular place of employment; and

''(3) the term 'continuity of operations' refers to an effort within individual executive departments and agencies to ensure that primary mission essential functions continue to be performed during a wide range of emergencies, including localized acts of nature, accidents, public health emergencies, and technological or attack-related emergencies.

''§ 6502. Governmentwide telework requirement

''(a) TELEWORK REQUIREMENT.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this chapter, the head of each agency shall establish a policy under which employees shall be authorized to telework, subject to paragraph (2) and subsection (b).

''(2) REGULATIONS.—The policy of each agency under this subsection—

''(A) shall be in conformance with regulations which the Administrator of General Services shall, within 120 days after the date of the enactment of this chapter and in coordination with the Office of Personnel Management, prescribe for purposes of this subsection; and

''(B) shall ensure that employees are authorized to telework—

''(i) to the maximum extent possible; and

''(ii) without diminishing employee performance or agency operations.

''(b) TREATMENT OF CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

''(1) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

''(A) require daily access to classified information;

''(B) require daily face-to-face contact with members of the public or other persons, or the use of equipment, at the employee's regular place of employment; or

''(C) are such that their performance from a site removed from the employee's regular place of employment is not feasible; or

''(2) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head—

''(A) the employee is needed to respond to an emergency;

''(B) the employee requires additional training; or

''(C) the denial is necessary, for a specific or ascertainable period of time, to achieve goals and objectives of programs administered by the agency.

''(c) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

''(1) be considered to require any employee to telework; or

''(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan.

''§ 6503. Implementation

''In order to carry out the purposes of this chapter—

''(1) the head of each agency shall ensure that—

''(A) appropriate training is provided to supervisors and managers and to all employees who are authorized to telework; and

''(B) no distinction is made between teleworkers and nonteleworkers for purposes of performance appraisals;

''(2) the General Services Administration, in coordination with the Office of Personnel Management, shall provide advice, assistance, and, to the extent necessary, training to agencies, including with respect to—

''(A) questions of eligibility to telework, including considerations relating to employee performance; and

''(B) making telework part of the agency's goals, including those of individual supervisors and managers;

''(3) the General Services Administration, in coordination with the Office of Management and Budget and the National Institute of Standards and Technology, shall prescribe regulations, within 120 days after the date of the enactment of this chapter, to ensure the adequacy of information and security protections for information and information systems used in, or otherwise affected by, teleworking; such regulations shall be consistent with information security policies and guidance issued by the Office of Management and

Budget and the National Institute of Standards and Technology, and shall, at a minimum, include requirements necessary—

''(A) to control access to agency information and information systems;

''(B) to protect agency information (including personally identifiable information) and information systems;

''(C) to limit the introduction of vulnerabilities;

''(D) to protect information systems not under the control of the agency that are used for teleworking; and

''(E) to safeguard the use of wireless and other telecommunications capabilities used for telework purposes; and

''(4) the General Services Administration shall—

''(A) maintain a central, publicly available telework website to be jointly controlled and funded by the General Services Administration and the Office of Personnel Management; and

''(B) include on that website any regulations relating to telework and any other information the General Services Administration and the Office of Personnel Management consider appropriate.

''§ 6504. Telework Managing Officer

''(a) APPOINTMENT AND COMPENSATION.—

''(1) IN GENERAL.—Each agency may appoint an officer to be known as the 'Telework Managing Officer'. If an agency appoints a Telework Managing Officer, such Officer—

''(A) shall be appointed—

''(i) by the Chief Human Capital Officer of such agency; or

''(ii) if none, by the head of such agency; and

''(B) shall be compensated at a rate not less than the minimum rate of basic pay for grade GS–15 of the General Schedule.

''(2) WAIVER.—The Administrator of General Services may waive the minimum rate requirement under paragraph (1)(B) with respect to an agency if such agency has fewer than 100 employees (determined on a full-time equivalent basis) and the head of such agency certifies that being required to comply with paragraph (1)(B) would adversely impact agency operations.

''(b) LIMITATIONS.—An individual may not hold the position of Telework Managing Officer as a noncareer appointee (as defined in section 3132(a)(7)), and such position may not be considered or determined to be of a confidential, policy-determining, policy-making, or policy-advocating character.

''(c) DUTIES AND RESPONSIBILITIES.—The duties and responsibilities of the Telework Managing Officer of an agency shall be as follows:

''(1) Serving as—

''(A) an advisor on teleworking to the head of such agency and to the Chief Human Capital Officer of such agency (if any);

''(B) a resource on teleworking for supervisors, managers, and employees of such agency; and

''(C) the agency's primary point of contact on teleworking matters for employees of such agency, Congress, and other agencies.

''(2) Ensuring that the agency's teleworking policy is communicated effectively to employees.

''(3) Ensuring that electronic or written notification is provided to each employee of specific telework programs and the agency's teleworking policy, including authorization criteria and application procedures.

''(4) Developing and administering a tracking system for compliance with Government-wide telework reporting requirements.

''(5) Providing to the Comptroller General and to the Administrator of General Services such information as the Comptroller General may require to prepare the annual reports under section 6505(b).

''(6) Establishing a system for receiving feedback from agency employees on the agency's telework policy.

''(7) Developing and implementing a program to identify and remove barriers to telework and to maximize telework opportunities in the agency.

''(8) Ensuring that employees are notified of grievance procedures available to them (if any) with respect to any disputes that relate to telework.

''(9) Performing such other duties and responsibilities relating to telework as the head of the agency may require.

''(d) ALTERNATIVE TO TELEWORK MANAGING OFFICER.—If no Telework Managing Officer is appointed under subsection (a) with respect to an agency, the duties and responsibilities of a Telework Managing Officer shall be carried out by the Chief Human Capital Officer of, or a career employee in, such agency, as determined by the agency head.

''§ 6505. Evaluating telework in agencies

''(a) IN GENERAL.—The Comptroller General shall establish a system for evaluating—

''(1) the telework policy of each agency; and

''(2) employee participation in telework programs at each agency.

''(b) ANNUAL REPORT.—The Comptroller General shall, based on the system established under subsection (a), submit an annual report to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate. Each report under this subsection shall, with respect to the period covered by such report—

''(1) evaluate the telework policy of each agency;

''(2) for each agency, indicate the total number of employees in such agency and identify—

''(A) the number and percentage of employees who were eligible to telework;

''(B) the number and percentage of employees who teleworked an average of at least once a week on a regular basis, determined based on time spent actually teleworking;

''(C) the number and percentage of employees who teleworked an average of at least 20 percent of the hours that they worked in every 2 administrative workweeks, determined based on time spent actually teleworking;

''(D) the number and percentage of employees who teleworked at least once a month on a regular basis, determined based on time spent actually teleworking;

''(E) the number and percentage of employees who were not authorized to telework and the reasons why they were not so authorized;

''(F) the number and percentage of employees who were authorized to telework and then later stopped teleworking, the reasons why those employees stopped teleworking, and whether their stopping was voluntary or due to other factors, such as office coverage needs or productivity;

''(G) the extent to which barriers to maximizing teleworking opportunities have been identified and eliminated;

''(H) the impact (if any) of the agency's telework policy on the recruitment and retention of employees;

''(I) the impact (if any) of the agency's telework policy on the performance of agency employees; and

''(J) the level of employee satisfaction with the agency's telework policy, determined based on employee feedback;

''(3) evaluate the compliance of each agency with the requirements of this chapter; and

''(4) identify best practices in agency telework programs.

A report under this subsection shall be submitted for the year in which the regulations under section 6502(a)(2)(A) take effect and for each of the 4 succeeding years. Each such report shall be submitted within 6 months after the end of the year to which it relates.

''(c) MINIMUM REQUIREMENT FOR COMPLIANCE.—For purposes of subsection (b)(3), an agency shall not be considered to be in compliance with the requirements of this chapter unless the employees of such agency who were authorized to telework were permitted to telework for at least 20 percent of the hours that they worked in every 2 administrative workweeks (disregarding any workweeks for which such employees did not submit a request or for which they were otherwise ineligible to telework).

''§ 6506. Continuity of operations

''(a) IN GENERAL.—The head of each agency shall ensure that—

''(1) to the maximum extent practicable, telework is incorporated into the continuity of operations planning of such agency; and

''(2) mission critical personnel, as determined by the head of such agency, are equipped to telework in time of a catastrophe.

''(b) COORDINATION RULE.—The continuity of operations plan of an agency shall supersede any telework policy of such agency to the extent that they are inconsistent with one another.

''(c) AGENCY DEFINED.—For purposes of carrying out subsection (a)(2), the term 'agency' means an agency named in paragraph (1) or (2) of section 901(b) of title 31.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 63 the following:

''65. Telework ..... 6501''.

(2) Section 622 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, as contained in the Consolidated Appropriations Act, 2005 (5 U.S.C. 6120 note) is amended by striking ''designate a 'Telework Coordinator' to be'' and inserting ''appoint a Telework Managing Officer or designate the Chief Human Capital Officer or other career employee to be''.

SEC. 3. CHIEF HUMAN CAPITAL OFFICERS COUNCIL.

(a) IN GENERAL.—Chapter 14 of title 5, United States Code, is amended by adding at the end the following:

''SUBCHAPTER II—CHIEF HUMAN CAPITAL OFFICERS COUNCIL

''§ 1421. Chief Human Capital Officers Council

''(a) ESTABLISHMENT.—There is established a Chief Human Capital Officers Council, consisting of—

''(1) the Director of the Office of Personnel Management, who shall act as chairperson of the Council;

''(2) the Deputy Director for Management of the Office of Management and Budget, who shall act as vice chairperson of the Council;

''(3) the Administrator of General Services; and

''(4) the Chief Human Capital Officers of Executive departments and any other members who are designated by the Director of the Office of Personnel Management.

''(b) FUNCTIONS.—The Chief Human Capital Officers Council shall meet periodically to advise and coordinate the activities of the agencies of its members on such matters as modernization of human resources systems, improved quality of human resources information, telework (as defined by section 6501),

and legislation affecting human resources operations and organizations.

''(c) EMPLOYEE LABOR ORGANIZATIONS AT MEETINGS.—The Chief Human Capital Officers Council shall ensure that representatives of Federal employee labor organizations are present at a minimum of 1 meeting of the Council each year. Such representatives shall not be members of the Council.

''(d) ANNUAL REPORT.—Each year, the Chief Human Capital Officers Council shall submit a report to Congress on the activities of the Council.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Chapter 14 of title 5, United States Code, is amended by striking the matter before section 1401 and inserting the following:

''CHAPTER 14—CHIEF HUMAN CAPITAL OFFICERS

''SUBCHAPTER I—AGENCY CHIEF HUMAN CAPITAL OFFICERS

''Sec.

''1401. Establishment of agency Chief Human Capital Officers.

''1402. Authority and functions of agency Chief Human Capital Officers.

''SUBCHAPTER II—CHIEF HUMAN CAPITAL OFFICERS COUNCIL

''1421. Chief Human Capital Officers Council.

''SUBCHAPTER I—AGENCY CHIEF HUMAN CAPITAL OFFICERS''.

(2) The analysis for part II of title 5, United States Code, is amended by striking the item relating to chapter 14 and inserting the following:

''14. Chief Human Capital Officers ..... 1401''.

(3) Section 1303 of Public Law 107–296 (5 U.S.C. 1401 note) is repealed.

SEC. 4. REPORTING REQUIREMENT.

(a) INCORPORATION OF TELEWORK INTO CONTINUITY OF OPERATIONS PLANNING.—Within 12 months after the effective date of the regulations under section 6502(a)(2)(A) of title 5, United States Code (as amended by section 2), the General Services Administration, in coordination with the Office of Personnel Management, the Federal Emergency Management Agency, and the Chief Human Capital Officers Council, shall report to the appropriate committees of Congress on the incorporation of telework into agencies' continuity of operations planning, including—

(1) the extent to which such incorporation has occurred within each of the respective agencies;

(2) the extent to which each agency has conducted continuity of operations tests and exercises incorporating telework for essential and non-essential personnel;

(3) the extent to which agencies have used telework in response to emergencies; and

(4) any recommendations the General Services Administration considers appropriate.

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

(1) the term ''appropriate committees of Congress'' means the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the terms ''telework'' and ''continuity of operations'' have the meanings given those terms by section 6501 of title 5, United States Code (as amended by section 2); and

(3) the term ''agency'' means an agency named in paragraph (1) or (2) of section 901(b) of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I introduced H.R. 4106 on November 7, 2007, to improve the efficiency of the Federal workforce by allowing more employees to telework.

Telework has a number of benefits for both agencies and employees. A happy workforce is a productive workforce, and giving employees the opportunity to telework can help boost productivity by cutting down on commuting time, reducing absenteeism, and allowing for greater organizational flexibility.

Improving telework can also help reduce pollution, traffic congestion, and the significant financial burdens that Federal employees face from high gas prices.

Unfortunately, telework is not being used to the fullest extent, and according to a report on telework released by the Office of Personnel Management in December 2007, only 6 percent of Federal employees participated in telework programs in 2006.

H.R. 4106 will improve telework in many key ways, while also allowing the government to maintain security of government information and to uphold performance standards. The bill defines telework and requires the Government Accountability Office to evaluate agency telework programs.

The bill requires the head of each agency to establish a telework policy authorizing employees to telework. The bill sets a consistent standard by providing that an agency will only be considered to be in compliance with the bill's requirements if employees who are authorized the telework are allowed to do so at least 20 percent of the hours worked in every two workweeks.

Under H.R. 4106, each agency is required to either appoint a telework managing officer or designate their chief human capital officer or a career employee to carry out the responsibilities of a telework managing officer who will serve as the agency's primary point of contact on telework.

The bill also improves the ability of the government to respond to emergencies by requiring larger agencies to incorporate telework into their continuity of operations plans.

This bipartisan bill was amended and approved by the Oversight Committee by a voice vote on March 13, 2008. A number of changes were made during the committee's consideration of the bill to address suggestions raised by the ranking minority member of the committee, Representative TOM DAVIS, such as requiring that essential personnel be equipped to telework during a catastrophe.

We are considering the bill today with an amendment that makes further changes to the bill based on feedback from the Office of Personnel Management. For example, the amendment clarifies the definition of continuity of operations to cover a situation such as the 2006 flooding of the Internal Revenue Service headquarters building. The amendment also requires GSA and OPM to jointly find and operate a central telework Web site.

This bill will allow more Federal employees to telework but at the same time ensures that agencies have the necessary flexibility, guidance, and oversight.

And so, Mr. Speaker, I urge swift passage of H.R. 4106.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 4106, the Telework Improvements Act of 2008. This legislation is designed to encourage more Federal employees to participate in telework programs. This legislation moved through committee, and I understand Chairman WAXMAN worked with Ranking Member TOM DAVIS to make several improvements to this legislation.

Getting serious about promoting telework is a major step in the right direction, but telework only indirectly addresses the problem of soaring gas prices. Mr. Speaker, gas prices have gone up $1.63 since Democrats took control of this House last January, and as far as anybody knows, Democrats still have no plan to address this problem.

The Republicans, on the other hand, stand ready to address the problem with a blueprint that promotes alternative and renewable fuels, harnesses technologies already being employed successfully by many of our global competitors, and encourages responsible oil and gas exploration designed to unlock America's natural energy resources and end our dependence on foreign fuel imports.

I remain concerned that none of the bills being considered today do anything to address the pain at the pump currently facing our Nation.

American families and small businesses are begging Congress to throw them a life preserver amid today's soaring gas prices, but no relief is in sight. No wonder Americans believe Washington is broken.

Most Americans believe it is past time to start addressing the real problems facing American families. I note with some disappointment that not a single piece of legislation to help lower gas prices is on the House schedule this week.

I reserve the balance of my time.

□ 1545

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as

he might consume to a member of our subcommittee and a cosponsor of this legislation, Representative SARBANES from the State of Maryland.

Mr. SARBANES. I want to thank the chairman of our subcommittee, Representative DAVIS, for yielding this time.

Mr. Speaker, I rise today in support of H.R. 4106, the Telework Improvements Act of 2008.

As a daily commuter from Baltimore to the District of Columbia, I know how frustrating it can be to spend hours a day traveling. And with a focus on gas prices that we've heard repeatedly today, we need to explore pragmatic and innovative alternatives.

I've worked closely with Subcommittee Chairman DAVIS and with Chairman HENRY WAXMAN on this legislation, and I thank them for their leadership. Last year, when I offered a similar amendment to the energy bill, they helped to ensure that the amendment passed the House by voice vote, and I am pleased we will now pass this measure so that we can begin to expand telework options for the Federal workforce.

This is a win, win, win. A stronger telework policy will be good for the Federal Government, it will be good for the Federal worker, and of course it will be good for the environment. At a time when a large percentage of the Federal workforce is at or approaching retirement age, we need to recruit and retain the best and brightest of a new generation of workers. By crafting strong and effective telework policies, agencies can compete for these workers and retain them.

The U.S. Patent and Trademark Office and the Defense Information Systems Agency, which have some of the most robust telework policies in the Federal Government, are perfect examples of how agencies can utilize telework to recruit and retain a first-rate workforce. USPTO and DISA have retained workers, despite having a workforce that is in high demand elsewhere.

The private sector is still far ahead of the government in terms of embracing telework as a recruiting tool. We must catch up if we want to compete. In fact, the Federal Government can and should be a model employer and a driving force for increasing productivity while striking the right balance between family and work.

If you want to understand the competitive edge that comes from telework, you don't have to take my word for it, just listen to what one major CEO said. ''What would I say to a CEO who resists greater employee flexibility because of concerns about loss of accountability and productivity? I would hope he was a competitor, and I would keep my mouth shut. Companies that don't believe in this are going to be trapped by it in the end.'' We don't want the Federal Government to be trapped either, and that's why it is important to embrace telework.

Telework is also beneficial to Federal workers by helping to improve quality of life and strike a better work/family balance. It would have the effect of giving back a couple hours a day to commuters who would otherwise be stuck in traffic, time they could spend with their families. At a time when gas prices are soaring, it could also have a profound economic benefit for families that are struggling in the current economic climate.

So again, in conclusion, I want to say that telework is a win, win, win. It's good for the Federal Government, it's good for the Federal workers, and it's great for our environment.

I am pleased the House has taken up this legislation, and look forward to working with the Senate to ensure that it becomes law.

Ms. FOXX. Mr. Speaker, while this legislation will give a break from high gas prices to some Federal employees, the vast majority of Americans have to use their cars to go to work and to other activities and are paying an average of $4 a gallon, the highest prices in history, while the Democratically controlled Congress does nothing to help those hardworking Americans who struggle to do the right thing every day, but are receiving no assistance from the Democrat majority here.

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

Mr. DAVIS of Illinois. Mr. Speaker, in closing, I once again want to commend the chairman of the Oversight Committee, Mr. WAXMAN from California, for his outstanding leadership and support. I also want to express appreciation to the ranking member, Mr. TOM DAVIS from Virginia, for his support and leadership.

I also want to thank all of the members of the subcommittee, especially the ranking member, Mr. MARCHANT, as well as all of the Members on both sides of the aisle. Our staffs have done a tremendous job of working through all of the snares that may have existed and have helped us shape a piece of legislation that I think is going to give enormous benefit to the American people. We are going to be able to cut down on the use of gasoline as people commute to and from work. We're going to be able to reduce pollution. And we're going to enhance the creation of a more desirable environment. So I thank all of those who have been a part of making this day possible. I urge passage of this legislation.

Mr. WOLF. Mr. Speaker, I rise in strong support of H.R. 4106, the Telework Improvements Act of 2008.

I would like to thank Congressman DANNY DAVIS for introducing this important and necessary legislation. I also want to recognize Chairman HENRY WAXMAN and Ranking Member TOM DAVIS on the Oversight and movement Reform Committee for reporting out a good bill for our consideration today.

As many of my colleagues know, I have been a long-time and staunch supporter of telework or telecommuting. Telework offers a 21st century workplace option that can reduce traffic congestion and air pollution, as well as cut gasoline consumption and dependency on foreign oil. Study after study has shown that telework benefits employees and employers. It gives employees the flexibility they need to meet daily demands.

Employers—both government and private businesses—get the benefit of increased productivity, improved morale, fewer sick leave days used, better worker retention, and reduced costs for office space.

My legislation enacted in 2001 mandated a phased-in program to expand the number of federal employees who telework with the goal of giving every eligible federal worker this workplace option by the end of 2005. While annual surveys by the Office of Personnel Management on telework by federal employees have shown some progress in meeting the law's mandate, there is much more that agencies can do to expand the number of federal telecommuters and this legislation is an important next step in making the Federal Government a model telework employer.

To emphasize the importance of telework in the federal workplace, when I chaired the Commerce-Justice-Science Appropriations subcommittee, I included provisions in the FY 2005, FY 2006 and FY 2007 spending bills for the departments of Commerce, Justice, and State and related agencies to withhold $5 million from the agencies which fail to meet the 2001 law.

I am proud to be an original cosponsor and strong proponent of the Telework Improvements Act that we are considering today. It will require the head of each executive agency to establish a policy under which employees may be authorized to telework and allow authorized employees to be allowed to telework at least 20 percent of the hours worked in every two administrative workweeks.

Given the soaring cost of gas, I can think of no better time for us to be passing this bill and encouraging further adoption of telework. In the Washington, D.C. metropolitan area, including my district in northern Virginia, telework has the added benefit of taking cars off the road and reducing congestion and air pollution. It is also a good policy to have in place for continuity of operations in the event of an emergency.

Mr. Speaker, I strongly urge my colleagues to vote in support of this legislation so that we can ensure that the federal workforce is making full use of teleworking.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to speak in on H.R. 4106, the Telework Improvements' Act of 2008. This issue has long been a struggle for many of us here in Congress, especially those Members representing the National Capital Region.

The problem is far too many federal agencies are missing the opportunity to promote teleworking among their employees. Ninety percent of the employees eligible to telework do not do so at this time.

With the vast majority of the federal government's workforce located here in the National Capital Region, utilizing telework will have an immediate and dramatic impact on the traffic congestion in the region. It will also increase worker productivity as our Federal workforce spends less time commuting to and from work every day. As an added benefit, keeping people off the roads will reduce our carbon emissions. Everybody benefits, not just the teleworkers.

Several improvements were made to this legislation during Committee consideration, many at my request. First, the reported version includes stronger language regarding the protection of information being accessed through remote networks. This IT security language is important to reassure the general public that, as we promote the use of telework in federal agencies, the government is taking necessary steps to make sure personal information is safeguarded.

Second, the reported version requires agencies to further integrate telework into their continuity of operations planning by making sure mission critical personnel are prepared to telework in the event of a major disaster, such as a terrorist attach or an outbreak of the pandemic flu.

Third, the reported version tasks the Chief Human Capital Officers Council with being a central coordinator of best practices for agencies regarding telework.

Fourth, the reported version gives agencies some flexibility in determining how best to promote telework within their workforce by allowing them to either assign the telework responsibilities to the agency's Chief Human Capital Officer or to a career official at the agency.

Promoting the use of telework by our federal workforce will improve employee efficiency and ultimately lead to improved service to the American public, and I appreciate the majority's willingness to work with us on this legislation.

Mr. Speaker, I am happy to support this legislation and urge its adoption.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 4106, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FEDERAL FOOD DONATION ACT OF 2008

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2420) to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2420

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 ''Federal Food Donation Act of 2008''.

SEC. 2. PURPOSE.

The purpose of this Act is to encourage executive agencies and contractors of executive agencies, to the maximum extent practicable and safe, to donate excess, apparently wholesome food to feed food-insecure people in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPARENTLY WHOLESOME FOOD.—The term ''apparently wholesome food'' has the meaning given the term in section 2(b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).

(2) EXCESS.—The term ''excess'', when applied to food, means food that—

(A) is not required to meet the needs of executive agencies; and

(B) would otherwise be discarded.

(3) FOOD-INSECURE.—The term ''food-insecure'' means inconsistent access to sufficient, safe, and nutritious food.

(4) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means any organization that is—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of that Code.

SEC. 4. PROMOTING FEDERAL FOOD DONATION.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulation issued in accordance with section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide that all contracts above $25,000 for the provision, service, or sale of food in the United States, or for the lease or rental of Federal property to a private entity for events at which food is provided in the United States, shall include a clause that—

(1) encourages the donation of excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in the United States; and

(2) states the terms and conditions described in subsection (b).

(b) TERMS AND CONDITIONS.—

(1) COSTS.—In any case in which a contractor enters into a contract with an executive agency under which apparently wholesome food is donated to food-insecure people in the United States, the head of the executive agency shall not assume responsibility for the costs and logistics of collecting, transporting, maintaining the safety of, or distributing excess, apparently wholesome food to food-insecure people in the United States under this Act.

(2) LIABILITY.—An executive agency (including an executive agency that enters into a contract with a contractor) and any contractor making donations pursuant to this Act shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, S. 2420, the Federal Food Donation Act, is a modest measure designed to help address a very large problem, hunger in America. In 2005, 25 million people in this country, including 9 million children, had to rely on soup kitchens and other charitable feeding programs to help meet their nutritional needs.

S. 2420 is very similar to legislation introduced by Representative JO ANN EMERSON, H.R. 4220, which passed the House on a voice vote last December. It requires Federal agencies to include in their food service and space rental contracts a provision which encourages contractors to donate any surplus wholesome food to nonprofit organizations that provide assistance to the hungry. This bill builds on the work of some innovative nonprofit organizations and think tanks that have been conducting similar programs in the private sector.

The bill also includes provisions which would ensure that cost of collecting, transporting and storing donated food would not be borne by the Federal Government, and that executive agencies and contractors would be protected from civil or criminal liability.

I urge my colleagues to support this bill.

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

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to take up S. 2420, the Federal Food Donation Act. The House version of this legislation, H.R. 4220, was introduced by Representative JO ANN EMERSON and was passed by the House last December.

S. 2420 would require the Federal Acquisition Regulation to be amended to provide certain contracts for the provision, service or sale of food, include a clause encouraging the donation of excess food to organizations such as homeless shelters. In doing so, the legislation also states agencies and contractors making donations would be protected from civil or criminal liability associated with the donation.

Mrs. EMERSON has been a leader in the effort to relieve hunger in this Nation, and I applaud her dedication to this issue. I urge my colleagues to support this bill.

Mr. WOLF. Mr. Speaker, I rise in support of S. 2420, the Federal Food Donation Act of 2008. This bill would require a clause in federal food services contracts greater than $25,000 to encouraging donations to nonprofit organizations, such as food banks and food pantries.

I have been active in the fight against hunger for over two decades. Following my first visit to Ethiopia during its famine in 1984, I worked across the aisle to fight hunger both at home and abroad. I was pleased to work for the passage of the Bill Emerson Good Samaritan Act of 1996 that protected organizations donating food to charitable organizations from liability in order to spur greater donations.

However, I am concerned that rising food commodity prices and gasoline prices could hamper efforts by food banks and food pantries to meet the needs of the hungry. In meeting with charitable organizations in my congressional district, it is clear that the business

community and government agencies could be doing much more to support efforts to a growing number of families relying on food assistance from charitable organizations.

Anyone who has visited a grocery store in the last year understands the challenge our food banks are facing. U.S. grocery prices increased 5.1 percent overall during the last year, with a 17-percent increase in cost for dairy products, a 13-percent increase for rice and pasta, and a 12-percent increase in the cost of breads. This has a tremendous impact on the bottom line for American families. For example, if a family earns $45,000 a year, it now costs them an extra $1,000 to maintain the same food, gas, and basic goods purchases compared to 2006—a 9.6-percent increase. This makes more families dependent on food assistance, and even more affluent families less likely to donate to food banks and food pantries.

I am proud that the food banks and food pantries, grocery stores, and chambers of commerce in my district are coming together to raise awareness of this challenge and develop community-based solutions. Given the large federal agency presence in my district, I believe that this bill will help supplement their efforts.

Mr. Speaker, I urge my colleagues to join me in supporting this pragmatic and necessary legislation.

Ms. FOXX. Mr. Speaker, I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time and urge my colleagues to support this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the Senate bill, S. 2420.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

FEDERAL AGENCY DATA PROTECTION ACT

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4791) to amend title 44, United States Code, to strengthen requirements for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Agency Data Protection Act''.

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

SEC. 2. PURPOSE.

The purpose of this Act is to protect personally identifiable information of individuals that is maintained in or transmitted by Federal agency information systems.

SEC. 3. DEFINITIONS.

(a) PERSONALLY IDENTIFIABLE INFORMATION AND MOBILE DIGITAL DEVICE DEFINITIONS.—Section 3542(b) of title 44, United States Code, is amended by adding at the end the following new paragraphs:

''(4) The term 'personally identifiable information', with respect to an individual, means any information about the individual maintained by an agency, including information—

''(A) about the individual's education, finances, or medical, criminal, or employment history;

''(B) that can be used to distinguish or trace the individual's identity, including name, social security number, date and place of birth, mother's maiden name, or biometric records; or

''(C) that is otherwise linked or linkable to the individual.

''(5) The term 'mobile digital device' includes any device that can store or process information electronically and is designed to be used in a manner not limited to a fixed location, including—

''(A) processing devices such as laptop computers, communication devices, and other handheld computing devices; and

''(B) storage devices such as portable hard drives, CD–ROMs, DVDs, and other portable electronic media.''.

(b) CONFORMING AMENDMENTS.—Section 208 of the E-Government Act of 2002 (Public Law 107–347; 44 U.S.C. 3501 note) is amended—

(1) in subsection (b)(1)(A)—

(A) in clause (i), by striking ''information that is in an identifiable form'' and inserting ''personally identifiable information''; and

(B) in clause (ii)(II), by striking ''information in an identifiable form permitting the physical or online contacting of a specific individual'' and inserting ''personally identifiable information'';

(2) in subsection (b)(2)(B)(i), by striking ''information that is in an identifiable form'' and inserting ''personally identifiable information'';

(3) in subsection (b)(3)(C), by striking ''information that is in an identifiable form'' and inserting ''personally identifiable information''; and

(4) in subsection (d), by striking the text and inserting ''In this section, the term 'personally identifiable information' has the meaning given that term in section 3542(b)(4) of title 44, United States Code.''.

SEC. 4. AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO ESTABLISH INFORMATION SECURITY POLICIES AND PROCEDURES.

Section 3543(a) of title 44, United States Code, is amended—

(1) by inserting before the semicolon at the end of paragraph (5) the following: '', including plans and schedules, developed by the agency on the basis of priorities for addressing levels of identified risk, for conducting—

''(A) testing and evaluation, as required under section 3544(b)(5); and

''(B) remedial action, as required under section 3544(b)(6), to address deficiencies identified by such testing and evaluation''; and

(2) by adding at the end the following:

''(9) establishing minimum requirements regarding the protection of personally identifiable information maintained in or transmitted by mobile digital devices, including requirements for the use of technologies that efficiently and effectively render information unusable by unauthorized persons;

''(10) requiring agencies to comply with—

''(A) minimally acceptable system configuration requirements consistent with best practices, including checklists developed under section 8(c) of the Cyber Security Research and Development Act (Public Law 107–305; 116 Stat. 2378) by the Director of the National Institute of Standards and Technology; and

''(B) minimally acceptable requirements for periodic testing and evaluation of the implementation of such configuration requirements;

''(11) ensuring that agency contracts for (or involving or including) the provision of information technology products or services include requirements for contractors to meet minimally acceptable configuration requirements, as required under paragraph (10);

''(12) ensuring the establishment through regulation and guidance of contract requirements to ensure compliance with this subchapter with regard to providing information security for information and information systems used or operated by a contractor of an agency or other organization on behalf of the agency; and''.

SEC. 5. RESPONSIBILITIES OF FEDERAL AGENCIES FOR INFORMATION SECURITY.

Section 3544(b) of title 44, United States Code, is amended—

(1) in paragraph (2)(D)(iii), by striking ''as determined by the agency'' and inserting ''as required by the Director under section 3543(a)(10)'';

(2) in paragraph (5)—

(A) by inserting after ''annually'' the following: ''and as approved by the Director'';

(B) by striking ''and'' at the end of subparagraph (A);

(C) by redesignating subparagraph (B) as subparagraph (D); and

(D) by inserting after subparagraph (A) the following:

''(B) shall include testing and evaluation of system configuration requirements as required under section 3543(a)(10);

''(C) shall include testing of systems operated by a contractor of the agency or other organization on behalf of the agency, which testing requirement may be satisfied by independent testing, evaluation, or audit of such systems; and'';

(3) by striking ''and'' at the end of paragraph (7);

(4) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(5) by adding at the end the following:

''(9) plans and procedures for ensuring the adequacy of information security protections for systems maintaining or transmitting personally identifiable information, including requirements for—

''(A) maintaining a current inventory of systems maintaining or transmitting such information;

''(B) implementing information security requirements for mobile digital devices maintaining or transmitting such information, as required by the Director (including the use of technologies rendering data unusable by unauthorized persons); and

''(C) developing, implementing, and overseeing remediation plans to address vulnerabilities in information security protections for such information;''.

SEC. 6. FEDERAL AGENCY DATA BREACH NOTIFICATION REQUIREMENTS.

(a) AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO ESTABLISH DATA BREACH POLICIES.—Section 3543(a) of title 44, United States Code, as amended by section 4, is further amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) in paragraph (8)—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by striking the period and inserting ''; and'' at the end of subparagraph (E); and

(C) by adding at the end the following new subparagraph:

''(F) a summary of the breaches of information security reported by agencies to the Director and the Federal information security incident center pursuant to paragraph (13);''; and

(3) by adding at the end the following:

''(13) establishing policies, procedures, and standards for agencies to follow in the event of a breach of data security involving the disclosure of personally identifiable information, specifically including—

''(A) a requirement for timely notice to be provided to those individuals whose personally identifiable information could be compromised as a result of such breach, except no notice shall be required if the breach does not create a reasonable risk—

''(i) of identity theft, fraud, or other unlawful conduct regarding such individual; or

''(ii) of other harm to the individual;

''(B) guidance on determining how timely notice is to be provided;

''(C) guidance regarding whether additional special actions are necessary and appropriate, including data breach analysis, fraud resolution services, identify theft insurance, and credit protection or monitoring services; and

''(D) a requirement for timely reporting by the agencies of such breaches to the Director and Federal information security center.''.

(b) AUTHORITY OF CHIEF INFORMATION OFFICER TO DEVELOP AND MAINTAIN INVENTORIES.—Section 3544(a)(3) of title 44, United States Code, is amended—

(1) by inserting after ''authority to ensure compliance with'' the following: ''and, to the extent determined necessary and explicitly authorized by the head of the agency, to enforce'';

(2) by striking ''and'' at the end of subparagraph (D);

(3) by inserting ''and'' at the end of subparagraph (E); and

(4) by adding at the end the following:

''(F) developing and maintaining an inventory of all personal computers, laptops, or any other hardware containing personally identifiable information;''.

(c) INCLUSION OF DATA BREACH NOTIFICATION.—Section 3544(b) of title 44, United States Code, as amended by section 5, is further amended by adding at the end the following:

''(10) procedures for notifying individuals whose personally identifiable information may have been compromised or accessed following a breach of information security; and

''(11) procedures for timely reporting of information security breaches involving personally identifiable information to the Director and the Federal information security incident center.''.

(d) AUTHORITY OF AGENCY CHIEF HUMAN CAPITAL OFFICERS TO ASSESS FEDERAL PERSONAL PROPERTY.—Section 1402(a) of title 5, United States Code, is amended—

(1) by striking '', and'' at the end of paragraph (5) and inserting a semicolon;

(2) by striking the period and inserting ''; and'' at the end of paragraph (6); and

(3) by adding at the end the following:

''(7) prescribing policies and procedures for exit interviews of employees, including a full accounting of all Federal personal property that was assigned to the employee during the course of employment.''.

SEC. 7. PROTECTION OF GOVERNMENT COMPUTERS FROM RISKS OF PEER-TO-PEER FILE SHARING.

(a) PLANS REQUIRED.—As part of the Federal agency responsibilities set forth in sections 3544 and 3545 of title 44, United States Code, the head of each agency shall develop and implement a plan to ensure the security and privacy of information collected or maintained by or on behalf of the agency from the risks posed by certain peer-to-peer file sharing programs.

(b) CONTENTS OF PLANS.—Such plans shall set forth appropriate methods, including both technological (such as the use of software and hardware) and nontechnological methods (such as employee policies and user training), to achieve the goal of securing and protecting such information from the risks posed by peer-to-peer file sharing programs.

(c) IMPLEMENTATION OF PLANS.—The head of each agency shall—

(1) develop and implement the plan required under this section as expeditiously as possible, but in no event later than six months after the date of the enactment of this Act; and

(2) review and revise the plan periodically as necessary.

(d) REVIEW OF PLANS.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall—

(1) review the adequacy of the agency plans required by this section; and

(2) submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the review, together with any recommendations the Comptroller General considers appropriate.

(e) DEFINITIONS.—In this section:

(1) PEER-TO-PEER FILE SHARING PROGRAM.—The term ''peer-to-peer file sharing program'' means computer software that allows the computer on which such software is installed (A) to designate files available for transmission to another such computer, (B) to transmit files directly to another such computer, and (C) to request the transmission of files from another such computer. The term does not include the use of such software for file sharing between, among, or within Federal, State, or local government agencies in order to perform official agency business.

(2) AGENCY.—The term ''agency'' has the meaning provided by section 3502 of title 44, United States Code.

SEC. 8. ANNUAL INDEPENDENT AUDIT.

(a) REQUIREMENT FOR AUDIT INSTEAD OF EVALUATION.—Section 3545 of title 44, United States Code, is amended—

*(1) in the section heading, by striking ''**evaluation**'' and inserting ''**audit**'' ; and*

(2) in paragraphs (1) and (2) of subsection (a), by striking ''evaluation'' and inserting ''audit'' both places it appears.

(b) ADDITIONAL SPECIFIC REQUIREMENTS FOR AUDITS.—Section 3545(a) of such title is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''subset of the agency's information systems;'' and inserting the following: ''subset of—

''(i) the information systems used or operated by the agency; and

''(ii) the information systems used, operated, or supported on behalf of the agency by a contractor of the agency, any subcontractor (at any tier) of such a contractor, or any other entity;'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) in subparagraph (C), by striking the period and inserting ''; and''; and

(D) by adding at the end the following new subparagraph:

''(D) a conclusion whether the agency's information security controls are effective, including an identification of any significant deficiencies in such controls.''; and

(2) by adding at the end the following new paragraph:

''(3) Each audit under this section shall conform to generally accepted government auditing standards.''.

(c) CONFORMING AMENDMENTS.—

(1) Each of the following provisions of section 3545 of title 44, United States Code, is amended by striking ''evaluation'' and inserting ''audit'' each place it appears:

(A) Subsection (b)(1).

(B) Subsection (b)(2).

(C) Subsection (c).

(D) Subsection (e)(1).

(E) Subsection (e)(2).

(2) Section 3545(d) of such title is amended to read as follows:

''(d) EXISTING AUDITS.—The audit required by this section may be based in whole or in part on an audit relating to programs or practices of the applicable agency.''.

(3) Section 3545(f) of such title is amended by striking ''evaluators'' and inserting ''auditors''.

(4) Section 3545(g)(1) of such title is amended by striking ''evaluations'' and inserting ''audits''.

(5) Section 3545(g)(3) of such title is amended by striking ''Evaluations'' and inserting ''Audits''.

(6) Section 3543(a)(8)(A) of such title is amended by striking ''evaluations'' and inserting ''audits''.

(7) Section 3544(b)(5)(D) of such title (as redesignated by section 5(2)(C)) is amended by striking ''a evaluation'' and inserting ''an audit''.

SEC. 9. BEST PRACTICES FOR PRIVACY IMPACT ASSESSMENTS.

Section 208(b)(3) of the E-Government Act of 2002 (Public Law 107–347; 44 U.S.C. 3501 note) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period and inserting ''; and'', and

(3) by adding at the end the following:

''(D) develop best practices for agencies to follow in conducting privacy impact assessments.''.

SEC. 10. IMPLEMENTATION.

Except as otherwise specifically provided in this Act, implementation of this Act and the amendments made by this Act shall begin not later than 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. CLAY) and the gentlewoman from North Carolina (Ms. FOXX) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. CLAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Mr. Speaker, as chairman of the Subcommittee of Information Policy, Census and National Archives, I am pleased to join my colleagues in the consideration of H.R. 4791, the Federal Agency Data Protection Act, a bill to protect personally identifiable information of individuals that is maintained in or transmitted by Federal agency information systems.

H.R. 4791, which I introduced along with Chairman HENRY WAXMAN and Representative ED TOWNS on December 18, 2007, was reported from the Committee on Oversight and Government Reform on May 21, 2008. I want to also thank Ranking Member TOM DAVIS for working with us on this legislation, especially on the notification provision.

Despite progress made with the implementation of the Federal Information Security Management Act, or FISMA, GAO found that pervasive weaknesses continue to exist primarily because agencies fail to maintain secure IT networks. As a result, GAO concluded that Federal financial data are at risk of unauthorized modification or destruction, sensitive information at risk of inappropriate disclosure, and critical operations at risk of disruption.

H.R. 4791 would secure our agencies' IT access and require an annual audit of agency programs. The bill would also establish a comprehensive definition for ''personally identifiable information'' and mandate that agencies notify individuals when their personal information is accessed in a data breach.

Mr. Speaker, in light of today's report that 1,000 patients at Walter Reed Army Medical Center and other military hospitals had their names, Social Security numbers and birth dates exposed in a security breach, this is a timely measure that provides Americans with some assurance that the Federal Government will work diligently to protect their personal information.

I urge the swift passage of H.R. 4791.

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

□ 1600

Ms. FOXX. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to speak on H.R. 4791, the Federal Agency Data Protection Act. While we appreciate the majority's willingness to incorporate several suggestions from our side such as including language from H.R. 2124, Representative TOM DAVIS' Federal Agency Data Breach Protection Act, we remain concerned that this legislation misses some key opportunities to advance legislation which truly strengthens our Federal information security laws.

But, Mr. Speaker, I rise today to speak on a much more pressing issue, an issue of great concern to all Americans.

With gas prices soaring to $3.98 per gallon over the weekend, according to AAA, the House returned officially from Memorial Day break today, but believe it or not, not a single piece of legislation to help lower gas prices is on the House schedule this week. This is particularly amazing since then Minority Leader NANCY PELOSI promised the American people ''a commonsense plan'' to lower gas prices way back in April, 2006. And it's particularly troubling since House Republicans unveiled a comprehensive plan to lower gas prices 2 weeks ago and has promoted that plan across the country during last week's Memorial Day recess.

Instead of delivering on their April, 2006, promise, however, the Democrats in charge of Congress have delivered only a staggering $1.65 Pelosi premium, meaning consumers are forced to pay $1.65 more per gallon of gasoline compared to what they paid on January 4, 2007, the Democrats' first day in the majority.

For an average family that fills up its two cars once a week, that's an astronomical 2,574 more dollars per year that they are forced to pay at the pump. That's $2,574 less that families have for their children's educational expenses; $2,574 less for family vacations this summer; and $2,574 less for food costs, which also are skyrocketing.

No wonder Democrats are continuing to feel the heat for doing nothing, nothing, to address the rising cost of gasoline.

Let me quote part of a column in Monday's New Hampshire Union Leader about what Congress has done to contribute to American families' and small businesses' pain at the pump:

''Congress has prevented the drilling in the Alaska National Wildlife Refuge, which could be providing 1 million gallons of oil per day. Congress has put 85 percent of the U.S. coastal areas off-limits for drilling. Congress has recently prohibited the processing of oil shale, which could provide substantial quantities of oil economically . . .

''To sum it up, Congress has done nothing to help but lots to increase on our dependence on foreign oil and increase the price Americans pay for oil and gas.''

An op-ed published over the weekend in the Athens, Georgia, Banner-Herald makes the case that the Democratic Congress has contributed to the recent surge in gas prices:

''Drilling is prohibited in the Alaska National Wildlife Refuge, a potential source of 1 million barrels a day, 5 percent of America's daily oil consumption. Also off-limits is 85 percent of America's coastline.

''Americans deserve to know the story, in all its gory details, of what their government has done and is doing to cause high prices at the pump and to make gasoline, indeed, all energy, more scarce and more expensive in the future.''

Indeed, while Democrats have offered nothing more than broken promises and policies that drive up gas prices, House Republicans have unveiled a comprehensive plan for lower gas prices and energy independence. The GOP blueprint promotes alternative and renewable fuels, harnesses technologies already being employed successfully by our global competitors, and unlocks America's natural energy resources through the responsible exploration of oil and gas in the United States, a reform backed by the majority of Americans, according to a new Gallup Poll. How much longer will Democrats ignore the will of the American people by keeping the House Republicans' plan off the House floor?

Another quote from the Charleston, West Virginia, Daily Mail: ''Doing Nothing is What Democrats in Congress Have Specialized in, and That's One of the Reasons Gasoline Costs $4 Per Gallon.''

Mr. Speaker, we can stand here and deal with a lot of issues that we're dealing with this week, but we need to get to the issues that the American people want us to deal with, and that's the soaring price of gasoline and energy costs.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CLAY. Mr. Speaker, in closing, I want to urge the House to support this bill, H.R. 4791, and to say that the American people expect that personal information that they share with their government should be kept private and should be protected, and this bill will ensure that that information is protected.

Mr. DAVIS of Virginia. Mr. Speaker, secure information is the lifeblood of effective government. But we've seen a wide range of incidents involving data loss or theft, privacy breaches, and security incidents at Federal agencies.

In almost all of these cases, Congress and the public would not have learned of these events had we not requested the information. After all, despite the volume of sensitive information held by agencies—tax returns, military records, health records, to name a few—there currently is no requirement that agencies notify citizens whose personal information may have been compromised. We need to ensure the public knows when its sensitive personal information has been lost or compromised.

Therefore I am pleased we incorporated my legislation, H.R. 2124, which requires timely notice be provided to individuals whose sensitive personal information could be compromised by a breach of data security at a Federal agency.

In addition to focusing on ensuring adequate protection of individuals' personal information held by the Federal Government, I have also spent years focusing on general, government-wide information management and security policy.

For example, the Privacy Act and the E-Government Act of 2002 outline the parameters for the protection of personal information. The Federal Information Security Management Act (FISMA), which I authored, requires each agency to create a comprehensive risk-based approach to agency-wide information security management, through preparedness, evaluation, and reporting requirements.

These laws created a solid foundation for Federal information security, making security management an integral part of an agency's operations and ensuring agencies are actively using best practices to secure the Federal Government's systems.

But it is now incumbent upon us to take Federal information security to the next level—to find new and innovative ways to secure government information.

Unfortunately, I do not believe H.R. 4791 does enough. Most of the provisions contained in this bill are a grab bag of vague requirements, additional mandates, and misplaced priorities. It casts dynamic concepts in stone. And it gives agency personnel more boxes to check.

I have long called for a bill with teeth—and an opportunity to discuss and debate the overall issues associated with improving Federal

information security. I think we have missed some key opportunities in that regard.

For example: (1) We haven't seriously considered, to my knowledge, the need to pursue providing incentives for agency success—such as financial incentives for agencies which excel.

(2) We haven't given enough consideration, to my knowledge, to the need to pursue funding penalties and personnel reforms which provide real motivation for an agency to improve its information security.

(3) Although I've pushed the scorecards for many years, we need increased Congressional oversight of agency information security practices.

(4) Have we done enough to bring greater consistency across the IG community regarding standards and review regarding improved information security?

(5) And in our recent review of this issue, I do not believe we have considered, nor do we address, what I believe is one of the most important and complex problems associated with these issues: the difficulties faced by agency Chief Information Officers in their attempts to be successful and effective—both in terms of their status within their agencies and their underlying statutory authority.

(6) Also, have we taken a serious look at whether the creation of a Federal CIO or an Information Czar at OMB would improve the Federal Government's ability to handle and process information? I do not believe so.

Yesterday, OMB Deputy Director for Management, Clay Johnson, wrote to the Committee asking to work with us on a handful of concerns the Administration has with the current draft of the legislation. Although the majority did make important modifications, removing controversial provisions affecting data brokers for example, which were of particular concern to Representative MIKE TURNER, other areas still need to be addressed.

The Administration has expressed particular concern about the bill's codification of terms and requirements in statute, including the definition of ''personally identifiable information'' as well as various technology-specific provisions, including ''personal digital devices'' and ''peer-to-peer file-sharing programs''. I have long maintained that effective security legislation should be technology neutral to enable the government to adequately address constantly evolving threats and technologies. Ironically, we could find ourselves less secure as agencies are forced to meet outdated mandates and requirements. I trust the majority is willing to continue these discussions as the legIslation moves forward.

Mr. Speaker, public confidence in government is essential. In the end, the public demands effective government. And effective government depends on secure information. I remain concerned that this legislation falls short in a number of these important areas.

Mr. CLAY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4791, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 6 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCNULTY) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 138, by the yeas and nays;

House Resolution 923, by the yeas and nays;

House Resolution 1114, by the yeas and nays.

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

SUPPORTING NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended.

The vote was taken by electronic device, and there were—yeas 362, nays 0, answered ''present'' 0, not voting 71, as follows:

[Roll No. 367]

YEAS—362

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pastor
Paul
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Upton
Van Hollen

Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Watson
Watt
Waxman
Welch (VT)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—71

Andrews
Baca
Boehner
Boswell
Brown, Corrine
Cardoza
Castor
Cazayoux
Courtney
Crowley
Cubin
Doolittle
Edwards
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey
Hulshof
Hunter
Inglis (SC)
Jackson-Lee (TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Moran (VA)
Murtha
Musgrave
Nadler
Pallone
Pascrell
Payne
Pearce
Peterson (PA)
Pryce (OH)
Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Udall (CO)
Udall (NM)
Velázquez
Wasserman Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1857

Messrs. LINDER and MARKEY changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CAZAYOUX. Mr. Speaker, on rollcall No. 367, had I been present, I would have voted "yea."

Mr. FILNER. Mr. Speaker, on rollcall 367, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted "yea."

RECOGNIZING THE STATE OF MINNESOTA'S 150TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 923, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 923.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 363, nays 0, not voting 70, as follows:

[Roll No. 368]

YEAS—363

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

NOT VOTING—70

Andrews
Baca
Boswell
Brown, Corrine
Cardoza
Castor
Cleaver
Courtney
Crowley
Cubin
Doolittle
Edwards
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey
Hulshof
Hunter
Inglis (SC)
Jackson-Lee (TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Murtha
Nadler
Pallone
Pascrell
Payne
Pearce
Peterson (PA)
Pryce (OH)
Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Terry
Udall (CO)
Udall (NM)
Velázquez
Walsh (NY)
Wasserman Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1904

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 368, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted "yea."

SUPPORTING THE GOALS AND IDEALS OF THE ARBOR DAY FOUNDATION AND NATIONAL ARBOR DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1114, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 1114.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 69, as follows:

[Roll No. 369]

YEAS—364

Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Arcuri
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert

Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson
Carter
Castle
Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellsworth
Emerson
Engel
English (PA)
Eshoo
Etheridge
Fallin
Farr
Fattah
Feeney
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Giffords
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jefferson
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jordan
Kagen
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larson (CT)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pastor
Paul
Pence
Perlmutter
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shays
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Watson
Watt
Waxman
Welch (VT)
Westmoreland
Wexler
Whitfield (KY)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)

NOT VOTING—69

Abercrombie
Andrews
Baca
Boswell
Boustany
Brown, Corrine
Cardoza
Castor
Courtney
Crowley
Cubin
Davis, Tom
Doolittle
Ellison
Emanuel
Everett
Ferguson
Filner
Gallegly
Gilchrest
Gillibrand
Grijalva
Gutierrez
Hinchey
Hulshof
Hunter
Inglis (SC)
Jackson-Lee (TX)
Johnson (IL)
Jones (OH)
Kanjorski
Kennedy
Knollenberg
Larsen (WA)
Lee
Maloney (NY)
McCollum (MN)
McGovern
McNerney
Meek (FL)
Murtha
Nadler
Pallone
Pascrell
Payne
Pearce
Peterson (PA)
Pryce (OH)
Radanovich
Richardson
Rohrabacher
Roskam
Rothman
Rush
Sestak
Shadegg
Shuler
Sires
Smith (WA)
Udall (CO)
Udall (NM)
Velázquez
Wasserman Schultz
Waters
Weiner
Weldon (FL)
Weller
Wilson (NM)
Young (FL)

□ 1911

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 369, I was unable to vote because of pressing business with my constituents in my home district. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. EMANUEL. Mr. Speaker, I was absent from the Chamber for rollcall votes 367, 368, and 369 on June 3, 2008. Had I been present, I would have voted "aye" on all three votes.

PERSONAL EXPLANATION

Mrs. JONES of Ohio. Madam Speaker, on Tuesday, June 3, 2008, I missed three recorded votes. Had I been present, the record would reflect the following votes:

H. Con. Res. 138. Supporting National Men's Health Week, "yes."

H. Res. 923. Recognizing the State of Minnesota's 150th Anniversary, "yes."

H. Res. 1114. Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day, "yes."

PERSONAL EXPLANATION

Ms. LEE. Madam Speaker, earlier today I missed rollcall votes numbered 367 through 369. Had I been present, I would have voted "aye" on rollcall 367 regarding, H. Con. Res. 138, Supporting National Men's Health Week; "aye" on rollcall 368 regarding, H. Res. 923, Recognizing the State of Minnesota's 150th Anniversary; and "aye" on rollcall 369 regarding H. Res. 1114, Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5839

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor to H.R. 5839.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5540, CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK CONTINUING AUTHORIZATION ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–677) on the resolution (H. Res. 1233) providing for consideration of the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3021, 21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–678) on the resolution (H. Res. 1234) providing for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IN MEMORY OF LT. GEN. WILLIAM E. ODOM

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise to pay tribute to Lieutenant General William E. Odom, a great American and a true patriot. General Odom passed away last Friday at the age of 75 after a lifetime of service to the Nation. General Odom was a soldier and a scholar. He was a teacher and the author of seven books on history and international relations. He served Presidents of both parties. He was one of our Nation's top experts on military intelligence. He was a great visionary. And he was among the first to correctly and courageously warn that invading Iraq would be folly.

I am proud to say that he was a friend. He generously shared his insight and counsel with me, and I found what he told and shared to be invaluable.

General Odom was born in Tennessee and graduated from West Point. He received a Ph.D. from Columbia University and became a leading author on the Soviet Union. After teaching at West Point and Columbia, he served in the Carter administration as assistant to the President for national security affairs. Neither a Democrat nor a Republican, he also served in the Reagan administration as director of the National Security Agency. After retiring from the military, he became a professor at Yale University and a senior fellow with the Hudson Institute.

General Odom was a patriot in every sense of the word. He served in Vietnam, and his family has continued to serve. His son was wounded in Iraq. But General Odom also understood that true patriotism meant disagreeing with your government's actions when you think they are wrong.

He opposed the invasion and occupation of Iraq long before it began when it was not the popular thing to do and long before most of the rest of the country opposed it. His boss in the Carter administration, Mr. Brzezinksi, had this to say of his early opposition to the invasion, ''Among senior military people, (Odom) was probably the first to consider the war in Iraq a misbegotten adventure. He believed that we're just stoking hostility to the United States in that region and developing an opposition that cannot be defeated by military means.''

In September of 2006, I and several of my colleagues in the House invited General Odom to speak at one of a series of ad hoc Congressional hearings and forums hosted by the Progressive Caucus on Iraq. General Odom described how al Qaeda's recruitment efforts had been seriously weakened by our efforts in Afghanistan, but he said that al Qaeda's recruitments soared after the invasion of Iraq. General Odom said, to (Osama bin Laden), the invasion must have been manna from heaven, probably saving his organization.'' I can't think of any more powerful argument against the invasion and continued occupation of Iraq than what he said.

General Odom did not just oppose the administration's policy. He offered a real alternative that could both end the conflict in Iraq and lay the foundation for regional peace. He said, ''No effective new strategy can be devised for the United States until it begins withdrawing its forces from Iraq. Withdrawal is the pre-condition for winning support from countries in Europe that have stood aside, and, other major powers including India, China, Japan, and Russia. It will also shock and change attitudes in Iran, Syria, and other countries on Iraq's borders making them more likely to take seriously new U.S. approaches to restoring regional stability.''

Everyone who knew General Odom knew that he was a tireless worker and a straight shooter. He continued to oppose war virtually up until the day that he died. Just 3 days before he passed away, an op-ed article he co-authored on Iran appeared in the Washington Post. The article opposed the drumbeat of war against Iran and offered a policy of diplomacy that can stop Iran from acquiring nuclear weapons. I hope every Member of this House will read that article.

General William Odom was a military man who worked hard for peace. If we had listened to him about Iraq in 2002, we could have saved tens of thousands of lives. I hope we will listen to his words now, because they can save many more lives in the future. General Odom was a great inspiration while he was alive, and I know that he will continue to inspire us in the days ahead.

[From the Washington Post, May 27, 2008]

A SENSIBLE PATH ON IRAN

(By Zbigniew Brzezinski and William Odom)

Current U.S. policy toward the regime in Tehran will almost certainly result in an Iran with nuclear weapons. The seemingly clever combination of the use of ''sticks'' and ''carrots,'' including the frequent official hints of an American military option ''remaining on the table,'' simply intensifies Iran's desire to have its own nuclear arsenal. Alas, such a heavy-handed ''sticks'' and ''carrots'' policy may work with donkeys but not with serious countries. The United States would have a better chance of success if the White House abandoned its threats of military action and its calls for regime change.

Consider countries that could have quickly become nuclear weapon states had they been treated similarly. Brazil, Argentina and South Africa had nuclear weapons programs but gave them up, each for different reasons. Had the United States threatened to change their regimes if they would not, probably none would have complied. But when ''sticks'' and ''carrots'' failed to prevent India and Pakistan from acquiring nuclear weapons, the United States rapidly accommodated both, preferring good relations with them to hostile ones. What does this suggest to leaders in Iran?

To look at the issue another way, imagine if China, a signatory to the nuclear Non-Proliferation Treaty and a country that has deliberately not engaged in a nuclear arms race with Russia or the United States, threatened to change the American regime if it did not begin a steady destruction of its nuclear arsenal. The threat would have an arguable legal basis, because all treaty signatories promised long ago to reduce their arsenals, eventually to zero. The American reaction, of course, would be explosive public opposition to such a demand. U.S. leaders might even mimic the fantasy rhetoric of Iranian President Mahmoud Ahmadinejad regarding the use of nuclear weapons.

A successful approach to Iran has to accommodate its security interests and ours. Neither a U.S. air attack on Iranian nuclear facilities nor a less effective Israeli one could do more than merely set back Iran's nuclear program. In either case, the United States would be held accountable and would have to pay the price resulting from likely Iranian reactions. These would almost certainly involve destabilizing the Middle East, as well as Afghanistan, and serious efforts to disrupt the flow of oil, at the very least generating a massive increase in its already high cost. The turmoil in the Middle East resulting from a preemptive attack on Iran would hurt America and eventually Israel, too.

Given Iran's stated goals—a nuclear power capability but not nuclear weapons, as well as an alleged desire to discuss broader U.S.-Iranian security issues—a realistic policy would exploit this opening to see what it might yield. The United States could indicate that it is prepared to negotiate, either on the basis of no preconditions by either side (though retaining the right to terminate the negotiations if Iran remains unyielding but begins to enrich its uranium beyond levels allowed by the Non-Proliferation Treaty); or to negotiate on the basis of an Iranian willingness to suspend enrichment in return for simultaneous U.S. suspension of major economic and financial sanctions.

Such a broader and more flexible approach would increase the prospects of an international arrangement being devised to accommodate Iran's desire for an autonomous nuclear energy program while minimizing the possibility that it could be rapidly transformed into a nuclear weapons program. Moreover, there is no credible reason to assume that the traditional policy of strategic deterrence, which worked so well in U.S. relations with the Soviet Union and with China and which has helped to stabilize India-Pakistan hostility, would not work in the case of Iran. The widely propagated notion of a suicidal Iran detonating its very first nuclear weapon against Israel is more the product of paranoia or demagogy than of serious strategic calculus. It cannot be the basis for U.S. policy, and it should not be for Israel's, either.

An additional longer-range benefit of such a dramatically different diplomatic approach is that it could help bring Iran back into its traditional role of strategic cooperation with the United States in stabilizing the Gulf region. Eventually, Iran could even return to its long-standing and geopolitically natural pre-1979 policy of cooperative relations with Israel. One should note also in this connection Iranian hostility toward al-Qaeda, lately intensified by al-Qaeda's Web-based campaign urging a U.S.-Iranian war, which could both weaken what al-Qaeda views as Iran's apostate Shiite regime and bog America down in a prolonged regional conflict.

Last but not least, consider that American sanctions have been deliberately obstructing Iran's efforts to increase its oil and natural gas outputs. That has contributed to the rising cost of energy. An eventual American-Iranian accommodation would significantly increase the flow of Iranian energy to the world market. Americans doubtless would

prefer to pay less for filling their gas tanks than having to pay much more to finance a wider conflict in the Persian Gulf.

TEXAS SHERIFF OMAR LUCIO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, during the last week I had opportunity to go to the Texas Rio Grande Valley and visit with some relentless lawmen that represent the State of Texas down on the Texas-Mexico border. I had the privilege to be the guest of Valley Sheriff Omar Lucio. We call it the Valley. It's really the Rio Grande Valley that separates the United States from Mexico. And he is the Sheriff in the tip of Texas where it meets Brownsville and Metamoras.

This map here has a photograph or a drawing of where Sheriff Lucio is Sheriff in Cameron County, the red area. Most of his county borders the water. Some of it borders the Gulf of Mexico. Some of it borders the Rio Grande River. And he's been Sheriff there for 3 years.

I went there as his guest to see the way it really is on the Texas-Mexico border and how the violence and the crime is causing a tremendous problem to the locals who live in that area.

Sheriff Lucio is from the Valley. He was born in San Benito, Texas, and he started his law enforcement career in Harlingen, Texas, as a peace officer; and he retired as a captain of police from Harlingen. He's an educated individual from Pan American University. He has a degree in criminal justice and a degree in sociology, and he's also a graduate of the FBI academy at Quantico.

Prior to being Sheriff, he was also the Chief of Police of the City of Mercedes, and he is on the Texas Sheriff's Association, and more importantly, the Texas Border Sheriff's Coalition. What that is, Mr. Speaker, is the Sheriffs, the 16 county Sheriffs that border Mexico and Texas, all the Sheriffs form a coalition because of the tremendous problems they have as law enforcement officers protecting their communities.

Let me try to explain it to you this way: When a crime is committed in a county, even if it is committed by some outlaw that has crossed the border illegally into the United States, the people affected do not call the border patrol, they call the local Sheriff, whether it is a burglary, auto theft, robbery, or a murder. The Sheriffs are the ones who are called because of the crimes that are committed in those counties and not the border patrol.

The border patrol patrols, as the law says, 25 to 30 miles inside the Texas-Mexico border. Most of the Texas counties are a lot bigger than 25 miles. In fact, Cameron County, where Sheriff Lucio is Sheriff, is 1,300 square miles. Now, 300 miles of that is water border. And his biggest concern is the drug cartels that infiltrate the United States from Mexico.

I want to mention that some of the information I received from Sheriff Lucio was quite remarkable, and I'm very impressed with the intelligence-gathering network that he has. Without going into that—it would not be proper for me to tell you how he gathers his information—but he gathers information from all sources, and he knows as much as anybody, including Homeland Security, as to what is taking place with the drug cartels that are infiltrating especially his county.

And he's concerned about the turf wars in Juarez, Mexico, and Laredo, and concerned that they will spread down further south into Metamoras, which is across the border from his main town of Brownsville, Texas. He says that the illegal criminals that come into his county are the biggest threat to not only national security but the security of the folks who live in that area. And he was very concerned about some of the proposals that the Homeland Security has for trying to protect that area.

There are 70 miles of fence proposed in that area, and Homeland Security is even proposing a fence so far inland that it cuts part of Texas' southmost college in half. Half of that college will be on the southern side of this fence. And that is probably not a good idea, and I would invite the Homeland Security chief to go down to that area and see some of the area and why it's impractical in that area to have a fence. Maybe in other parts of Texas, but certainly not in this particular part of the area.

His deputy sheriffs, Mr. Speaker, make $24,000 a year, $24,000 a year patrolling this rugged territory between Mexico and the United States. And I met a good number of those deputy sheriffs and some of his lieutenants, and I insert the names of The Posse, as I call them, into the RECORD at this point.

Gus Reyna, Jr., Chief Deputy; Javier Reyna, Captain; Lt. Carlos Garza, Investigations; Mike Leinart, Chief Jail Administrator; Lt. Domingo Diaz; Lt. Tony Lopez; Lt. Rick Perez; Lt. Dionicio Cortez; Sgt. Andy Arreola; Inv. Alvaro Guerra; Inv. Leo Silva.

And to a man, they are all determined to protect the citizens of Cameron County, Texas, from criminals from any source.

But they talk about the biggest problem they have is the fact that the border is not secure, that criminals come across the border, whether it is drug cartels or just old-fashioned robbers, and then they go back home across the border. And he is asking that he and other border Sheriffs get more manpower down on the border.

I told him that fence was going to cost $1 million a mile. He said he would rather take that $70 million that's going in his county for fences and have more personnel, more equipment, because the drug cartels have better equipment, more money, better fire power than he does.

In fact, speaking of equipment, I noticed that he didn't really have a lot of patrol vehicles. The way they get their vehicles, because they don't have a budget for vehicles, is they have to confiscate the drug dealers' vehicles, and they turn those over and become part of his operation.

So I want to thank him for his work down on the Texas-Mexico border, and the Cameron County folks are safer because of Sheriff Lucio and his relentless deputy sheriffs.

And that's just the way it is.

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NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise this evening to thank my colleagues for just a few minutes ago passing unanimously H. Con. Res. 138, which I introduced recognizing June 9 through 15, 2008, as National Men's Health Week.

The need for this legislation could not be more evident, as far too many of our friends, brothers, uncles, cousins, grandfathers and fathers die each day from illnesses and diseases that are treatable.

Despite the advances in medical technology and research, men continue to live an average of almost 6 years less than women, and African American men have the lowest life expectancy of all groups.

Further, all of the 10 leading causes of death, as defined by the Centers for Disease Control and Prevention, affect men at a higher percentage rate than women.

Men simply are not getting the care they need. Women are 100 percent more likely to visit the doctor for an annual examination and to get preventive care.

This happens for a variety of reasons, including fear on the part of men, lack of health insurance, a macho attitude, thinking that they cannot be harmed, lack of information and cost factors. The disparity in men's health has led to increased risk of death from heart disease and cancer. But these problems do not only affect men.

More than one-half of elderly widows now living in poverty were not poor before the deaths of their husbands, and by age 100, women outnumber men eight to one.

We simply must get more men the early care and education they need to lead long, healthy lives. That is why I sponsored this resolution that recognizes June 9 through June 15 as National Men's Health Week. We need to educate both the public and health care providers about the importance of early detection of male health problems to reduce rates of mortality for common diseases.

Appropriate use of tests such as prostate specific antigen, PSA, exams,

blood pressure screening, cholesterol screening and in conjunction with clinical examination and self-testing for problems such as testicular cancer, can result in the detection of many of these problems in their early stages. This early detection can lead to increases in the survival rates to nearly 100 percent of men.

National Men's Health Week was established by Congress in 1994. The week is designed to encourage men and their families to engage in appropriate health behaviors, and the resulting increased awareness has improved health-related education and helped prevent illnesses.

Men who are educated about the value that preventive health can play in prolonging their life span and their roles as productive family members will be more likely to participate in preventive care.

By recognizing National Men's Health Week, we bring this very important issue to the forefront, encouraging discussion and promoting this critical education in early detection.

I thank Chairman WAXMAN and Subcommittee Chairman DAVIS for their support, and I appreciate my colleagues voting in favor of this resolution.

MOMENT OF SILENCE IN THE U.S. HOUSE OF REPRESENTATIVES TO HONOR FALLEN HEROES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, on May 8, 2008, I introduced H. Res. 1183, a resolution calling for the House to observe a moment of silence on the first legislative day of each month for those killed or wounded, as well as their families, in the United States' engagements in Iraq and Afghanistan.

I am very grateful that the Speaker of the House has written me to indicate her support for this proposal and has agreed that it is important for the House of Representatives to honor America's fallen heroes. It is my understanding that the Speaker will initiate this moment of silence during the first series of votes tomorrow.

I am pleased that this month will mark the beginning of the House's ongoing observation of a moment of silence for those killed or wounded in Iraq or Afghanistan. I thank Speaker PELOSI for making this right and fitting tribute a part of the regular order of the House.

This moment of silence will serve as a solemn reminder of the more than 4,000 killed and more than 30,000 wounded in Iraq and Afghanistan and a thank you from a grateful Nation. For their courage and selfless commitment to duty, these servicemembers, and their families, deserve our unending support.

Again, I want to thank Speaker PELOSI, and Catlin O'Neill on her staff, for working with me to make this remembrance a reality for the families of those who have sacrificed for our Nation.

SECURE RURAL SCHOOLS PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, tomorrow, this House will take up a critical piece of legislation, H.R. 3058. This legislation would extend the secure rural schools program for 4 years. If this legislation is not adopted, we expect that more than 7,000 teachers in rural districts across the United States of America will be laid off. We expect that in more than 600 counties critical services such as sheriffs deputy patrols, jail deputies who perform services in the jail, and other critical emergency services will end. Road funds will be impacted in terms of critical road and bridge maintenance. This is must-pass legislation.

But we also recognize that the United States of America is in a fiscal bind here. So the Democrats have reimposed something pretty simple most Americans live by called pay-as-you-go. So we had to figure out a way to pay for this. We've gone through a whole ream of proposals, and we've found one that works, and I think in this time of record-high oil and gas prices, it's particularly appropriate.

We would have in place a renegotiation of existing leases which omitted a price trigger at $35 a barrel or impose a conservation resource fee if those companies would renegotiate. A number of good citizen companies have renegotiated, including Shell, BP and Conoco. A number of other not-so-good citizen companies, those which are extorting incredible amounts of money from the American consumer, such as ExxonMobil, have refused to renegotiate, and they're trying to take their unintended windfall.

Now, many on the other side of the aisle are going to say this is unconstitutional. Well, I would urge my Republican colleagues to read the CRS Report for Congress, No. RL 33974. It addresses those issues in depth. It's not a taking. It doesn't violate the doctrine of unconstitutional conditions. It doesn't violate substantive due process and equal protection. And it doesn't cause a breach of contract.

In fact, CRS finds that the government, but of course not this administration, the Bush administration, may have a cause of its own under a section called unilateral and mutual mistake.

Everyone admits these provisions, these triggers are supposed to be in the bill. At $35 a barrel, that's about $100 a barrel ago, the subsidies were supposed to go away for these oil companies. They didn't because some bureaucrat messed up. So, in fact, the preponderance of evidence is that the government has a cause of action to reinstate lawful charges against those oil companies. This bill would do that, and it would assure the future of more than 600 counties, hundreds of school districts, 7,000 teachers.

If we don't pass this, if you lean on the slender read, if you're concerned about the wealth of the oil companies, I refer you to ExxonMobil's and others' most recent statements. I refer you to the Wall Street Journal to look at the price of oil hovering in the upper $120 a barrel when this fee was supposed to come in at $35 a barrel.

You can't lean on the unconstitutional read, but if you do want to side with the oil companies over and above rural schools, public safety, maintenance of roads, bridges and highways in rural counties across America, then you will side with the oil companies in this vote tomorrow.

I hope a majority of my colleagues join me on the right side of this issue.

GAS PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, every year I conduct town hall meetings in each of the 69 counties that comprise the First District of Kansas. I want to hear what's on the minds of my constituents and receive my marching orders that I bring back to Washington, D.C.

And so now for the 12th year, I've made the rounds, some 5,000 miles with 69 town hall meetings, and I'm here on the floor tonight to visit one of those issues that has certainly been raised by Kansas voices, and I want to make certain that those voices are heard and that the commonsense that my constituents have is part of the debate on the issues that we face here in the Nation's capital.

While the issues that Kansans talk to me about every year—they change I guess from year to year a bit—one thing remains the same. Folks want to see good things happen in their own communities, and they want to see good things happen in their country.

This year, the issue I heard the most about was the high cost of energy. I heard from Kansans who can't take much more pain at the pump. Right now, prices which are expected only to increase are too high for Kansans, and it's past time in their opinion, and mine as well, for Congress to pay attention.

Farmers, truckers, manufacturers, teachers, seniors, all shared with me that something needs to change or they just can't make it. This is what I heard all across our State. Kansans are trying to get by, and their employers are struggling to keep them employed.

And it's not just about economics. It's about our foreign policy. We can look at the nightly news and see that our own foreign policy is distorted because of national security issues that

are presented by the fact that we're at the mercy of oil-rich countries, many of them who despise us.

Kansans understand that technology changes with time and so should environmental and energy policies. Exploring and drilling can be done with limited environmental impact. China, with Cuba's permission, is tapping our natural resources, our natural gas fields, right off our own coasts, where our companies are banned. They are banned even with advanced technologies and a strong commitment to see that there is no ecological disaster.

While I support increasing the domestic supply of oil and gas, I know it's not the only answer. We need to meet our country's energy needs in a diverse way. It's capturing the power of the sun. It's harnessing the wind that blows across my State of Kansas. It's using heat from within the Earth to generate electricity. All of these and many more energy sources are completely renewable. Renewable energy can create jobs at home and help our economy, improve our environment, and reduce our dependence upon foreign oil.

Energy conservation can also help. Too many of us have gotten away from the things that we always knew. Growing up, it was considered a sin in my family to leave the lights on when you weren't in the room. We need to get back to that mentality of being responsible with our energy use.

Across Kansas, folks are recognizing the benefits of conservation. Farmers are transitioning to no-till practices, which reduce the number of times the tractor passes through the field. Commuters are carpooling. Every gallon that we conserve, every degree we don't heat or cool, every empty room that doesn't have a light on, helps us reduce the demand.

I'm taking steps in my own congressional office to reduce energy use.

Tonight, I'm on the floor delivering a message from Kansans, like Brian and Laura Velasquez from the small town of Reading, Kansas, on the east side of my district:

''Dear Representative MORAN, we are a middle class Kansas family. It has become more difficult the past few years for us to make ends meet in spite of increased income. Since our lifestyle has not changed, the main explanation has to be the fallout from the cost of fuel. We are not the only ones in this predicament. The U.S. is at the mercy of too many oil-rich nations that are not concerned about our welfare. This needs to change now.''

I agree with my constituents. It's clear that Americans want Congress to develop policies that increase the supply of energy, and they want Congress to encourage the development of new fuel sources. Until the supply of energy, renewable or fossil fuels, increases, prices will only continue to rise.

We must work together, not just with words but in action to promote energy conservation, develop domestic production of oil and natural gas, and aggressively pursue alternative fuels. Let all Americans know we hear their concerns and we will act.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

(Mr. BROUN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

(Mr. TANCREDO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATOR AWARENESS WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KUHL) is recognized for 5 minutes.

Mr. KUHL of New York. Mr. Speaker, I rise today in support of National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week, quite a handle. It commenced just 2 days ago on Sunday and lasts until Saturday.

Last year, I introduced legislation to support designating this first week of June as National CPR and AED Awareness Week, and I am pleased that Congress passed my proposal to help bring an important issue to light.

Heart disease continues to be—and I repeat that—heart disease continues to be the leading cause of death in the United States. So I believe that we must do all we can to bolster our efforts to combat heart disease and sudden cardiac arrest.

Approximately 325,000 coronary heart disease deaths occur outside of the hospital emergency room every year, and roughly 95 percent of sudden cardiac arrest victims die before even reaching the hospital.

These statistics serve as a clear reminder that we must take action to save lives at the local and the community levels, and an annual National CPR and AED Awareness Week will help us do just that.

CPR more than doubles a victim's chances of surviving sudden cardiac arrest by maintaining the vital flow of blood to the heart and to the brain.

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Over 75 percent of out-of-hospital cardiac arrests occur within the home, so CPR can make a difference between life and death.

Additionally, automated external defibrillators are easy for even bystanders to operate and are highly effective in restoring a normal heart rhythm if used within minutes after the sudden onset of cardiac arrest.

Communities with comprehensive AED programs have achieved survival rates of over 40 percent, as opposed to 5 percent, which is the traditional rate of survival. And I am proud to have sponsored the New York State law that required public high schools to have at least one such device on the school grounds.

As a state senator, I worked with my colleague, Assemblyman Harvey Weisenberg, Long Island, who advanced this initiative after a young man named Louis Acompora from Northport, Long Island, died from a blunt impact to the chest while playing lacrosse. He was a goalie and was doing exactly what he was trained to do. Had an AED been available at the time, his life very well might have been saved. Thankfully, our efforts in New York have helped to save over 35 lives in New York State in the 5 years since the law's enactment.

The American Heart Association, the American Red Cross, and the National Safety Council are holding public awareness and training campaigns around the country. And the National Safety Council is also offering a free online course of CPR and AED training all week long. This week, as a result of their efforts, it is our hope to train over 100,000 Americans in CPR and AED treatment opportunities. And Americans will have the opportunity to learn to combat heart disease at the community level and hopefully save lives all across the country.

I urge my colleagues to join me in supporting this week, Mr. Speaker, it's a very important initiative.

ENERGY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the minority leader.

Mr. BARTON of Texas. Mr. Speaker, most Americans think that Members of Congress are somehow privileged and above the ordinary everyday concerns of the constituencies that we represent. I think all 434 of my House colleagues know that that's not true. By normal standards, we do get a very adequate salary, $162,500 a year, but out of that we have to pay our expenses of living in our districts and here in Washington, D.C. We have the same expenses that every other American family has.

This morning, before I left to fly to Washington, DC, I opened our credit card bill. We have a MasterCard. And on that bill we put most of our gasoline expenses and our routine living expenses. And my wife, Terry, has been working very, very hard this year to minimize the amount of expenses on that credit card. And we've both made an effort to make sure we only put things that we have to put on the credit card. So the vast majority of our MasterCard is now for gasoline.

And I just happened to look down the list of all the gasoline expenses from the early part of last month to right now, and it added up to over $600. Now, $600 is not an extraordinary amount, but a year ago that same amount of gasoline would have been about $300, maybe $350, and 2 or 3 years ago, it would have been about $150. And now it's over $600. And that's not taking any trips. That's not driving to see our families. That is my wife and my stepdaughter and my day-to-day drive to work, drive to school, drive to the grocery store, do all the things that we do in everyday living in central Texas.

Now, as I said earlier, I make a very adequate salary and my wife makes an adequate salary. And it pinches us, but we can afford it. But what if my wife and I were on an income of, say, $4,000 a month, $48,000 a year? Having to spend $600 a month for gasoline just to go back and forth to work and to go to school and to go to church and to go to the grocery store would be a real struggle.

So we have a situation today where the new Democratic majority in the House has come in promising to bring energy prices down and a new commonsense plan for energy. Here we are, with approximately 5 months to go in this session of Congress, at least through the election in November, and energy prices are up almost 200 percent, gasoline prices, since the day that our Speaker, Mrs. PELOSI, took the gavel from Mr. Hastert.

And the response to the higher energy prices, at least so far, has been, at best, symbolic. We passed a bill giving the right to sue OPEC. OPEC supplies about 40 percent right now of our energy, our oil, so we're going to sue OPEC if that bill were to become law.

Several weeks ago we passed a bill suspending shipments of the Strategic Petroleum Reserve; that's about 60 to 70 thousand barrels of oil a day. There were great predictions that day that passage of that one bill would bring prices down $25 a barrel, and I think one Member said 50 cents a gallon. Well, the day the bill passed, oil prices went up almost $2 a barrel. And a week after that, they hit an all-time high of $135 a barrel. They have now come down a little bit, but they're still, I believe today's price is about $127 a barrel.

So I think it's fair to ask my friends in the majority, where is our energy policy to really bring energy prices down for America? I'm not happy that in my little part of America I'm having to spend over $600 this month when we pay our MasterCard bill just for gasoline. And if the projections are true, later this summer I may have to spend seven, eight, even nine hundred dollars a month just for basic transportation in Arlington, Texas.

Most people think that we're helpless, that we can't do anything about these high energy prices, that they're almost like one of the Ten Commandments. Luckily, and hopefully, the truth is not that; we have tremendous energy resources in this country that have yet to be developed.

We can do something about these energy prices, and we can do it with made-in-America energy. We've been debating whether we should drill up in Alaska and ANWR for the last 20 years. We actually passed a bill and sent it to the President that would have allowed that in 1996. The President at the time, President Clinton, vetoed that bill. Had he not vetoed that bill or had we been able to override his veto, projections are that ANWR would probably be producing in the neighborhood of two to three million barrels of oil per day right now. I say projections because you never know until you actually drill the wells and start to produce the oil. But there are huge oil reserves in ANWR. And the minimum assumption would be half a million barrels a day within 3 to 4 years of the go-ahead to begin production. And that's just one oil field.

If we want to go off the coast of California where we drilled the original offshore oil wells, where you still have oil seeps that naturally come to the surface, where you do have some producing platforms that were in existence prior to 1968, it's estimated that we probably have three to five billion barrels of oil available right there, and that we could produce another half a million to a million barrels just off the coast of California.

If you want to go to the east coast, where we've done almost no exploration at all because of various moratoria, if the Gulf of Mexico is any indication, we probably have billions and billions of barrels of oil reserves and natural gas reserves off of that coast.

We know that there is oil and gas off the coast of Florida that's not being drilled right now because of a moratorium. Interestingly, the communist Chinese are drilling off the coast of Florida through a lease arrangement with Mr. Castro and the Cuban dictatorship in Cuba. It would be ironic if the communist Chinese ended up getting more oil and gas off the coast of Florida than Americans do.

If you don't want to drill offshore, what about onshore lower 48? We have probably two trillion—trillion is a thousand billion—we have two trillion barrels of shale oil reserves in Wyoming and Colorado. In the Energy Policy Act of 2005, we passed a procedure to inventory those and to do an expedited permitting process of the Minerals Management Service so that they could perhaps come into production, but on the floor of the House last year this Congress put a moratorium on implementing those rules. So we're putting our shale oil reserves off limits.

So it comes as no surprise, if you look at all these areas where we've put the stop sign up, that oil production in the United States is going down. At our peek, we produced over 10 million barrels of oil per day in the United States of America. At one time we were the number one producer of oil in the world. That's down to a little less than six million barrels a day. We use the equivalent of nine to ten million barrels of oil per day just for mobility purposes. We're only producing in the neighborhood of six million barrels.

We have tremendous energy reserves in this country. And if we want to bring these prices down, we don't have to look overseas to the Middle East, we don't have to beg OPEC, we don't have to sue OPEC, we do have to take our energy future into our own hands and begin to produce more American energy.

It's more than just oil and gas, obviously. We have tremendous coal resources in the United States. We have somewhere between 250 and 400 years of coal reserves. We've got lots of research being done to convert that coal to a liquid, a diesel-like fuel that we could use to fuel our transportation fleet.

When we had the debate on the so-called energy bill last year in this Congress, the rules were set up so that no amendment on coal-to-liquids was made in order in the Energy and Commerce Committee, the committee of principal jurisdiction, nor in the Rules Committee, nor on the floor of the House of Representatives. So we passed an energy bill which I voted against because there really wasn't any energy in it. It had no coal in it. It certainly had no oil or gas drilling in it. It was basically a mandatory conservation bill.

So my statement to the American people this evening, Mr. Speaker, is pretty straightforward. We've got tremendous energy resources in this great Nation of ours. We've got the ability, within a reasonably short period of time, and I would say that would be 2 to 4 years, maybe 2 to 5 years, if we made a decision in this Congress to produce some of the energy reserves that we know we have, we could, in all probability, double the amount of oil

that we're producing right now. We could certainly increase it by three to four million barrels a day, if not double it. And if we did that, energy prices would come down.

On the world market, oil is a fungible product, which means it can move anywhere, it's a commodity. We have the ability, worldwide, to produce on an average day around 85, 86 million barrels of oil. Unfortunately, the demand for oil is about 85 or 86 million barrels per day, give or take a million barrels or so. So we have a situation where you don't have a cushion, you don't have a capacity cushion. And the econometric models have shown that if you don't have about a 5 percent cushion, which would be about four or five million barrels a day, that price is going to tend to spike upwards. And that's what we have today.

□ 2000

Mr. BARTON of Texas. We have a demand-driven price because we do not have on the world markets enough cushion to dampen the speculation, so the American consumers are having to pay right now on average right at $4 a gallon. I don't know about you, Mr. Speaker, but I don't think American voters and the American citizens are going to be really happy if, in the face of these higher prices, our decision as a Congress is to just shake our fists and say we have the ability to sue the foreign cartel which we call OPEC.

So I have the ranking Republican on the Energy and Commerce Committee. I have been working for the last 6 months with a group of Republicans both on and off the committee. Several weeks ago, we put in a package of 15 bills. These bills, taken together, would produce more American-made energy for American workers and energy consumers. They run the gamut. I'm not going to go through every bill right now, but we look at the oil and gas industry, the coal industry, the nuclear power industry, the alternative energy industry. You name it. We take a look at it, and do something to bring into play American-made resources for American energy consumption.

I would encourage all of our Members of Congress to take a look at these bills. We are going to try to get them to the floor as quickly as possible. I certainly think that if we are naming post offices and are commending watermelon festivals and things of this sort that we certainly can find room to have some real energy bills on the floor and to have a debate and to, hopefully, pass those bills to the other body.

At this point in time, Mr. Speaker, I would like to yield to my good friend from Ohio, Congressman LATTA. Congressman LATTA comes from a distinguished family of congressmen. His father was the ranking Republican on the Budget Committee when I was a young pup. Our current Congressman LATTA has come to Washington with the same common sense that his father exhibited 20 years ago.

So I would yield as much time as he may consume to Mr. LATTA of Ohio.

Mr. LATTA. Well, I appreciate the gentleman from Texas yielding.

I stand here tonight, coming back from Memorial Day break, and people back home, I think, know more about what is going on in this country than we do.

Every place I went—we had meetings across our district—the folks all asked the same thing: When are you going to be doing something about energy in this country? Because we can't afford these prices at the gas pumps. They all said the same thing, what some of them have been saying down here. We have got to start developing our own energy sources in this country. We have got to start acting now.

Why is it important to be acting now?

You know, years back, we had the ability in this country to be able to make some mistakes and to correct them in 5 or 10 years, but we don't have that luxury anymore. That luxury now is gone. What is going on now is that the rest of the world is catching up to us.

I just want to start with this chart, if I may. That is the harsh reality of what we have here. The United States consumes about 21 percent of the world's energy right now with 300 million of the people. When you look at this chart and in looking at 2010, you see that India and China will almost be at a parity with the United States in 2010. In 2015, energy usage in China and in India will exceed that of the United States. By 2020, China alone will be exceeding the energy usage of the United States. When you look at this graph, the United States' usage is very, very slowly going up, but if you look at the energy usage of China, it is skyrocketing straight up.

What does that mean?

People back home understand this, too. ''Energy'' means jobs. ''Jobs'' mean people can make sure that they can have those different benefits that the honorable gentleman from Texas was talking about. You know, if you look at this as energy prices keep going up, what happens? Fuel prices go up. Food prices are going up because you've got to get the food to market. Then you have got to have heating. Then the question is what are those people going to do about going out and about buying those necessary goods and services for their families and also to help keep this economy moving. It's tough, and people back home understand it much better than we do. Congress has got to act, and they want it done now.

The other thing is, as for acting right now, if we stood in the well of this House and they stood over in the Senate and we said that the United States has an energy policy right now for developing its own sources within this country alone, you'd see the world speculation go down on what it costs on the oil markets. We're not doing that and they know it, so they can keep raising that price on us. America can't be tied to Middle Eastern oil for any longer because it is costing us way too much money. We have to be able to control our own destiny in this country.

What are we going to do about this?

Well, to give you an idea of what's happening back home, I come from the ninth largest manufacturing district out of 435, so we depend on energy. In Ohio, 80 percent of the goods and services that are delivered in Ohio are delivered by truck. When you're looking at things being delivered by truck, of course they're using fuel. Their fuel costs are going up, so whatever they are delivering is costing Ohioans more and more dollars, and the same can be said across this great Nation.

The same can be said when you talk about farms. There are farmers out in northwestern Ohio right now. They have been planting corn. They are out there, putting in soybeans. It's the same thing. Diesel prices are up. Fertilizer prices are up. Chemical prices are up. Why? Because they're all petroleum-based. So those costs are, unfortunately, going to have to be passed along to the people back home and across the country.

Before we broke for Memorial Day, at one of our town hall meetings that we had, at the teletown hall, one of the questions that we posed was an informal poll. We said, ''What should we be doing? Should the United States be out, drilling in this country?'' Overwhelmingly, 6 to 1 said that the United States must be drilling at this time so we can meet our own energy needs.

If we don't meet those energy needs, what is going to be happening, especially with those jobs back home?

At one of the float glass facilities in my district, their costs in the last 5 years have gone up from $10 million in energy costs to $30 million in energy costs. Why is this significant? There are only 37 float glass facilities left in the United States while there are, right now, 40 being built in China. So, if they can put cheaper people on these production lines with the price of the fuel, the countries around the world are going to do one thing. They are going to be buying those goods not from the United States but from China, and we are going to watch more and more of our facilities closing because of the costs of high energy in this country, and we can't afford that.

What do we have to do?

Well, I think there are several things we have to do in this country. One, I think we have to go out and develop our nuclear energy that we have at our disposal.

What is the rest of the world doing?

You know, a lot of people always have jokes about the French every so often. I come from the ancestry of the French. 70 to 80 percent of all energy in France is derived from nuclear energy. They are actually exporting energy into Europe from France. Russia currently has 31 reactors in operation. It

is projected that 37 to 42 nuclear reactors that are currently or will be under construction are all scheduled to be in operation by 2020. Japan has 55 nuclear reactors in operation, and two or more are in construction right now.

What is China doing on the nuclear side?

Well, right now, in the next 25 to 30 years, it is pretty much, in looking at China, that they will be building at least 40 new nuclear power stations across that country. Right now, China has 21 nuclear reactors under construction or about to be under construction. They are moving ahead.

What is India doing?

India is the second leading country right now in the development of nuclear energy. India is building small nuclear reactor plants, and in the next 25 years, they will probably have 30 in operation. They are moving ahead.

What is the United States doing?

Well, the last nuclear power plant that was licensed in the United States was the Wolf Creek Nuclear Power Plant in 1977. The last plant to go on line was in Tennessee in 1996. The last new licensed nuclear reactor to go on line was in 1996. We are way behind. Not only are we behind in getting these plants on line, but we are also behind in that there is only one place on Earth where a lot of these parts can be manufactured to get these plants on line, and that is in Japan. So, if the United States isn't out either building its own machinery that we have to have to run these nuclear power plants, we are in trouble because the rest of the world is already in line to get these plants built. So we have got to get moving, and we have got to get moving quickly. That's what the people back home know and what we talk and talk and talk about in Congress.

Coal. The United States has about 24 percent of the world's coal. What are we doing with it? Well, on the majority's side, they don't want to do anything with coal. In Ohio, I can tell you a lot about coal. We, unfortunately, have what you call high-sulfur coal. So, in a lot of places, it is very, very expensive to have to go out and burn that coal because you have to put a lot of scrubbers on.

Now, we have an individual in my district who has developed clean coal technology where you can burn this coal in a closed environment and produce methane. But, again, are we doing that in this country? No, we are not doing it. You know, when you talk to people out there in the scientific world as to how much coal we actually have in this country, some people say we might have 250 to 350 years of coal, and we're not doing anything with it. We have got to do something.

The Chinese today are going to invest around $24 billion in clean coal technology while the United States sits. We have got to be doing something.

Hydroelectric. You know, we all know that the Chinese are building their hydroelectric dam right now to produce more power. We're not doing it either. We're not doing anything.

Drilling. That's where the American people really get it. They really got it when gasoline prices hit $3.50 a gallon, especially in my district. I think that was the breaking point for people in northwest Ohio. They say, ''Why aren't we doing something in this country?'' You know, we see these gas prices rising. I know, when I got home over the Memorial Day break, I should have filled up my gas in the car before I left that week because it was around $3.83 when I left Bowling Green. I got home that following Friday. It was $4.99 a gallon.

People say, ''What are we doing in Congress?'' Again, nothing. As the gentleman from Texas alluded to in talking about ANWR, you're talking about only drilling at around 2,000 acres, which is only one-half of 1 percent of an area. Nothing is being done. You know, it's estimated there are 9 to 16 billion barrels of recoverable oil there, and we're not doing anything.

We're not doing anything offshore. You know, the Chinese, as were alluded to a little earlier, and the other countries around the world are drilling offshore. They're drilling offshore in the United States, but we're not doing anything. It's time to act.

Where I come from in northwest Ohio there was at one time one of the largest oil fields in the United States in the 1800s. They say there's probably as much oil out there today as there was then, but it's too costly to get it up. We ought to have credits out there for individuals and companies to go out there and get that oil and bring it up. We need to be doing that. We've got to get these prices down because, again, our jobs and our livelihoods and our country depend on action today.

You know, if we got that oil here, the other problem we'd have is that we haven't been building refineries in this country. It's been about two-and-a-half decades since a refinery has been built in this country. It's time we got going. We've got to get this thing done now because we don't have time in the future to do it. If you look, as the energy usage is going up across the world, the United States is getting farther and farther behind everyone else. When they have energy and we don't, that's when we're going to be in big trouble.

Now, I was a history major in college, and in reading our American history, of course of our great Industrial Age, we had all the natural resources. We had the coal that produced the power to make sure that we could make the product, which we were able to export around the world. Well, look at this chart, and you're going to see who is going to be able to do that in the future. We have got to be able to meet our needs, and we have got to meet them today. Time is running out.

You know, the other scary thing about this is we send more and more of our energy overseas. One of the things we have to think about is who is owning our debt. Right now, $2.43 trillion is owned by foreign countries. The Chinese own about $487 billion of our debt, and we can't have that.

I really appreciate the time the gentleman has allotted to me, and I yield back. Thank you.

Mr. BARTON of Texas. I appreciate the gentleman from Ohio's insightful comments.

As he has pointed out, it's not a lack of American energy; it's a lack of willpower on this floor to develop that energy. What we need is American-made energy for America's families and factories.

To talk a little bit more about that, I want to recognize the distinguished conference secretary of the Republican Conference, the gentleman from Williamson County, Round Rock, Texas, Congressman CARTER, for such time as he may consume.

□ 2015

Mr. CARTER. I thank the gentleman and my good friend for yielding and allowing me to talk on this. You know, having two Texans here, somebody is going to be saying, Well, there they are in Texas again, talking about energy. And we know something about it. But let me tell you about a couple of energy experts that I ran into when I held a little impromptu event of standing around a service station in my district and talking to the people at the pumps as they pulled up to buy gasoline and diesel.

The first memorable energy expert that I remember was a lady that pulled up there and she had a baby, I would say about 2 years old, and then she had probably the age 6, 7, 8-year-old girl in the car who looked like she was on her way to her ballet lesson. I said, I wanted to ask your opinion on gasoline prices. This lady started crying. She said, I am a single mom. I have got three kids, two of which I have to transport to everything that they go to. I don't want to deprive my children of anything that they can go to, like their ballet lessons or their ball games. But I just don't know how I am going to be able to feed my family and be able to take my kids around, with the price of gasoline.

That is an energy expert. This lady knows that the fact that we have failed in our energy policy in this country has caused her to have a harm imposed upon her family. There's not much you can say to that energy expert but I'm sorry, ma'am. We are trying.

Then we have another energy expert that pulled up there, and he had a plumbing truck. And he was a family plumbing business in Georgetown, Texas. I asked him how he felt about the energy business. He said, Well, I will tell you what, partner. The price of plumbing in this part of Texas is going up, and it's going up in a big way. Me and my boys are running four trucks. And he said, I am telling you, the cost of fuel going up is killing us,

and we are going to pass it on to our customers, and the price of plumbing is going up. And he says, You know the old joke about plumbers charging more than lawyers? Well, I guarantee it's going to be that way from now on. I laughed and said, Yes, sir. I hear what you're saying. He said, I hope you hear what I am saying.

I wanted to share that story with you because that story took place 2½ years ago when gasoline hit $2.85 a gallon. That was that same 2½ years ago when the Republicans were in the majority in the House of Representatives. When they took their shots, they were taking them at me, because the party that I belong to was the party in power and we were being heavily criticized for $2.85 a gallon gasoline.

Fortunately, that gasoline went down some and it lightened up after a point in time, but the criticism continued about the price of gasoline. And in the last election, we had promises that there was a plan to bring down the price of gasoline, absolutely commonsense plan to bring down the price of gasoline. Well, since that promise, I think gasoline has gone up $1.65 a gallon. At least when I was home this last week, gasoline in my part of Texas was $3.95 a gallon. I understand now it's over $4 a gallon.

I have to think back to that lady and those kids and that family plumber with his boys and their business and all those people who are having the services and are having the relationships with those people. Those were the kind of oil and gas and energy experts we ought to start listening to.

There is a commonsense solution to our energy problem. I want to tell you that at the time that I was talking about previously, then-Chairman BARTON had presented an energy plan that was excellent; that sought energy from all sources, including renewables, but certainly looked at the oil and gas resources, coal resources, atomic energy resources that are available to this country. Yet, that bill was killed by the Democrats in the Senate and got nowhere. We are now sitting here looking at a worse situation than that by almost two. And we are not getting anything done.

As my colleague pointed out, while we are doing this, the Chinese Communists are drilling off the shores of Florida in Cuban waters. But we don't drill in those waters. Did you know that last year the oil and gas industry in the drilling process spilled one tablespoon of oil worldwide? One tablespoon. Yet, we are not willing to even take a look at seeking the resources that were there.

When I was a kid, I guess I was in high school, they had an article in the Houston paper where they talked about the dwindling resources in the oil and gas business. My father worked for an oil company. So I was concerned. And I asked him about it and he told me, son, there's shale oil in the Rocky Mountains but it's too expensive to go get. When the price is right, we will be able to harvest trillions of barrels of oil from the mountain regions of our country. That oil is still there and the price is available now to where it's worth going after. We should seek the resources that will bring down the price. The American-made power is what our American citizens are asking us for. They are begging us for it.

When you go home now, I guarantee you there's not a member of this House that if they went home and stayed home this last Memorial Day break, if they didn't have somebody ask them about the price of gasoline, they must have been deaf or slept through the whole period. Because they asked me at church, they asked me at the grocery store, they asked me at the service station, everybody that saw me, and they asked me everywhere I went, even at the hospital.

So, you know, when you're sitting there realizing that the American family is now suffering and looking down the road and saying there is no relief in sight, it's time for us to wake up America, wake up this Congress. Let's do that bipartisan work that so many people are bragging about right now. Let's do it, and let's do it now.

Let's do all the energy resources that are available to Americans. Let's don't be afraid of one or another industry. The American intelligence can make every one of these resources clean and available and nonpolluting to this country. We have proven it. Let's look off the coast of California and let's look off the coast of Florida and let's look in Alaska, let's go to known reserves, and let's take care of that lady and those three kids so that she has affordable gasoline so she can live her life in the kind of good, free manner that Americans and Texans want to live.

I thank Mr. BARTON, my good friend, for allowing me to come here and talk about this. I am no energy expert. I just know that the American people are. And they want energy that provides the ability to drive their automobiles and heat their homes and light our world and give us the prosperity of industry that will keep us going. If we have that, we will have done our job, and this is our job today.

I thank you for yielding time.

Mr. BARTON of Texas. I thank the gentleman from Round Rock.

Mr. Speaker, can I inquire how much time we have remaining in our Special Order, please?

The SPEAKER pro tempore. The gentleman has 20 minutes remaining.

Mr. BARTON of Texas. Thank you. I would now like to yield such time as he may consume to Mr. GINGREY of Georgia, a physician, who, before he became a Member of Congress, was a baby doctor and delivered over 5,000 American lives into our great Nation, and is concerned about their future and wants to make sure they have affordable energy.

Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, I thank my colleague, the distinguished ranking member of the Energy and Commerce Committee, former chairman of the committee, for yielding time to me.

My other colleague from Texas, our conference secretary, part of our leadership, my good friend, Judge CARTER, just said that he is not an expert on energy. But he certainly is an expert on common sense. He got some of that expertise by talking to his constituents at that impromptu town hall meeting at the gas pump in Texas. That is where we get some of our knowledge from the people that we represent, and they are mad as heck and they are not going to take it any more.

I am absolutely surprised, Mr. Speaker, shocked that this new Democratic majority is apparently not listening to what the American people are saying. Back in April of 2006, then-Minority Leader NANCY PELOSI released a statement saying, and I quote, ''Democrats have a plan to lower gas prices.'' Well, Mr. Speaker, here we are tonight, June 3, 2008, over 2 years after NANCY PELOSI, Speaker PELOSI now, announced that Democrats had this commonsense plan to help bring down skyrocketing gas prices. The average retail price of gasoline is $3.99 for a gallon of regular. That is what I paid last night to fill up my car, a 25-gallon tank. It cost me almost $100.

Mr. Speaker, this is something that the American people can no longer afford. I don't know what this comprehensive plan the Speaker had in mind when she spoke to us in January of 2007 for the very first time, I don't know what that comprehensive plan was, but I darn sure know what the results of the plan was. The result is gasoline prices at the pump for regular have gone up more than $1.65 a gallon. Some plan. The proof of the pudding indeed is in the eating.

There are some things that I want to point out in regard to some of the plans that the Democrats have had in regard to lowering these gas prices and a nationwide average of $3.98 a gallon; in my district, $3.99. Here's some of the things that maybe they proposed to bring down the price of a gallon of regular gasoline. Sue OPEC? You save nothing. Launch the seventh investigation into price gougers? You save nothing. Launch the fourth investigation into speculators? You save nothing. Twenty billion dollars in new taxes on oil producers? Increasing the debt. Halt oil shipments to the strategic petroleum reserve? Maybe save a nickel a gallon.

On the other hand, Mr. Speaker, my colleagues, the Republican plan to lower gas prices: Bring United States offshore oil drilling, ANWR, saving anywhere from 70 cents to $1.60 a gallon. Drilling in ANWR. My colleagues talked about that. Probably an additional 1½ million barrels of petroleum a day from that source.

Bring United States deepwater oil on line. Out of the Outer Continental Shelf is what we are referring to. That

could save anywhere from 90 cents to $2.50 a gallon. Bring new oil refineries on line. Our good friend from Ohio, Representative LATTA, pointed out that we haven't had a new oil refinery or a nuclear power plant license in this country in over 30 years. That could save 15 cents to 45 cents a gallon. Cut earmarks to fund a gas tax holiday. That could save 18 cents a gallon. Again, we agree with the Democrats on this one. Halt the oil shipment to the strategic petroleum reserve, saving a nickel a gallon. Our plan, the Republican plan, my colleagues, in a very conservative way, would save at least $1.98 a gallon; $1.98 a gallon. The Democrat plan, at most, a nickel a gallon.

Well, let me just tell you one thing that they did, the Democratic majority, Mr. Speaker, in their energy bill of 2007. There is a section in that bill, a section called 526. Basically, what it says is no agency of the Federal Government, no agency of the Federal Government can utilize a source of energy production that creates a bigger carbon footprint than conventional fuel, conventional gasoline and diesel fuel. They are absolutely not permitted to do that.

Now I want, Mr. Speaker, and all of my colleagues, I want you to think about the consequence of that. The Federal Government on an annual basis utilizes something like 480,000 barrels of refined petroleum products; 480,000 barrels.

□ 2030

I am sorry, that is a day. I said annually. That is a day, 480,000 barrels. And which branch of the Federal Government uses the most of that? Obviously, the Department of Defense. And which branch of the Department of Defense, which service branch, uses the most of that? The United States Air Force, flying the platforms that we have to maintain the security of this country. Almost 480,000 barrels. It is estimated, Mr. Speaker, that the Air Force will spend an additional $9 billion for that fuel in the year 2008, fiscal year 2008, because of these rapidly increasing prices of oil.

Now, that bill though says they can't go out and utilize anything other than that liquid petroleum we all think about bubbling up out of the ground. Yet in this country, my friend from Texas referred to it, Representative CARTER, is something called shale oil that his grandfather told him about.

Shale oil, Mr. Speaker, is mainly in the West, in several Western States, and the total amount of additional petroleum that could be gotten from that shale oil is something like 3 trillion barrels of refined products. Yet we are not allowing the agencies of our Federal Government to utilize these sources.

Tomorrow in the Science Committee, of which I am a member, the NASA Subcommittee will be marking up the reauthorization of NASA, the National Aeronautics and Space Administration. They do research on shale oil, on oil sands, another product that is very plentiful in Canada. A lot of oil could be gotten from that. They are doing that research. They are sharing that research with the Department of Defense, and yet they are not able to utilize any of that additional oil. The amount that we could get from shale oil is equivalent to the amount that we have probably utilized in the world over the last 100 years. That is how much capacity we are talking about.

Those are the sort of things we can do to bring down the price. I could go on and on, but the gentleman has been very generous with his time and I want to yield back to him. But we need a comprehensive plan that includes nuclear, that includes the use of these alternative sources of petroleum products, like oil sands and shale oil. And until we get together and do this on a bipartisan basis, the American public is going to continue to suffer.

I yield back to the distinguished gentleman.

Mr. BARTON of Texas. I thank the gentleman. I want to point out he needs to change his sign. He has his ''9'' upside down. If you subtract 5 cents from $3.98, you get $3.94 or $3.93. You don't get $3.63. He has his ''6'' and ''9'' down there.

Mr. GINGREY. I thank the gentleman for calling that to my attention. We will make that change.

Mr. BARTON of Texas. Mr. Speaker, I think you begin to get the point we are trying to put across this evening. America has got great energy resources. We are not using those resources right now. For various political reasons, we have put them off limits.

We are not allowing any exploration or production in ANWR in Alaska. We are not allowing any exploration or production off the West Coast of the United States. We are not allowing any exploration or production off the East Coast of the United States. We are not allowing our shale oil resources to be developed in the interior of the United States. We are not developing our coal resources with the clean coal technology that the gentleman from Ohio spoke about. So we are a victim of self-inflicted wounds in this country.

I would like to say that it can't get any worse, but it can. I was just on a congressional delegation that visited Europe. We went to Slovenia and to Italy to interact with the European parliament and then toured some NATO bases in Italy. They are paying the equivalent of $9 a gallon for gasoline, $9. So even though we think $4 a gallon is way too high, there are other parts of the world that are paying double what we are paying.

If our energy prices continue to go up, there will be consequences. General Motors just announced yesterday they are closing four of their automobile assembly plants in this country. Ford Motor Company, one of the icons of American industry, their stock is selling at almost an all-time low, at least a modern era all-time low. They just divested part of their company. They sold it to an Indian automobile company. The higher prices go, the more uncompetitive America is in world markets and the more Americans are thrown out of work. It is kind of a self-propelling cycle.

We need to do something about it. The good news is that we can do something about it. We have the ability more than any other Nation in the world to produce our own energy for consumption here in the United States. American-made energy for American families and factories is a doable deal. It is not a pipe dream. But we have to start in this Congress.

Now, we have a package of 15 energy bills that have been introduced at various times in this Congress. They are active. They have bill numbers. The Speaker of the House and the majority leader and the chairwoman of the Rules Committee and the chairman of the Energy and Commerce Committee and the chairman of the Ways and Means Committee could schedule these bills for committee action, could schedule these bills for floor action and bring them to the floor.

It wouldn't bother me a bit if the Speaker wanted to bring these to the floor under an open rule; let Members of both political parties go to the Rules Committee and have amendments made in order. Let's have a full, fair, open debate in committee, the Rules Committee and on the floor of the House of Representatives.

Some of these bills would probably pass on a suspension calendar if they were brought to the floor. Some of the bills would be very controversial. The access bill, opening up ANWR, H.R. 6107, would be a close vote, no question about that, but I think a majority of the House of Representatives would vote in the affirmative to let us develop an energy resource that could have as much as 10 billion barrels of oil in it. On a daily basis that would be somewhere between 1 and 2 million barrels per day with existing technology, if we were to make the decision to let that go and to start producing it.

We have a shale oil reserve bill. We have an alternative fuel for defense and aviation bill. Mr. GINGREY talked about that. We have a-coal-to-liquids bill that is Mr. SHIMKUS' bill that has a Democrat sponsor, Mr. BOUCHER, the subcommittee chairman of the Energy and Air Quality Subcommittee of the Energy and Commerce Committee. We have a renewable fuel standard bill that would take the renewable fuel standard back to the 2005 Energy Policy Act. We have a bill to encourage new refineries, Congresswoman HEATHER WILSON's bill. We have a bill on speculation that was introduced by myself. We have a boutique fuels bill, H.R. 2493, introduced by our Republican whip, Mr. BLUNT. We have a bill that provides for some tax provisions by Mr. TERRY of Nebraska. We have some bills on nuclear energy. We have an Outer

Continental Shelf bill that has been introduced by Congresswoman MYRICK of North Carolina.

I could go on and on. The point I am trying to make is we have American energy resources that could be developed and I think should be developed. We are not hopeless, we are not helpless, but right now we have a majority that, for some reason, has decided that it is okay for American citizens to pay these high energy prices, and, as I said earlier, if we sit here on our hands and do nothing, the prices are going to go up and up and up, which is not a good thing for our economy.

Mr. Speaker, with all due respect, we are planning a series of special orders. We are going to continue to try to educate the American people on the energy situation. But we are not just out here complaining and whining and bemoaning our fate. We have a positive solution that, if implemented and sent to the President and signed into law, would begin to bring immediate results in the terms of additional energy resources and lower energy prices.

Let's work together. As Daniel Webster says in the saying above the Speaker's rostrum, let us develop the resources of our land, call forth its powers, build up its institutions, promote its great interests, and see whether we also in our day and our generation can do something that will be seemed worthy to be remembered by future generations.

THE STATE OF HEALTH CARE IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I came to the floor of the House tonight to talk, as I frequently do, about the state of health care in this country and some things that may be on the cusp of change and some things that will never change. But I want to start off tonight by talking about what is going to happen to physicians across this country on July 1st, less than a month from now, as far as their Medicare reimbursements.

Now, you may recall I was on the floor of the House last December talking about the need for addressing the reduction of reimbursement rates for physicians across the country. The best we could come up with on the floor of this House was to stall that 10.7 percent reduction in reimbursement for Medicare patients. The best we could come up with was to stall that for 6 months' time. We told ourselves at the time that this gives us a little more time that we can work on a solution that is more meaningful. We want to work on a bigger and grander solution.

But, Mr. Speaker, what has happened? The days and months have ticked by, and now we are less than 4 weeks away from that day when physicians will wake up and find that their reimbursement for seeing a Medicare patient is now 10.9 percent less than it was the day before.

Is this really a big deal? Well, yeah, it is a big deal, because everywhere across the country currently new Medicare patients call up physicians' offices trying to be seen and they find the same situation over and over again. They can barely get the word ''Medicare'' out of their mouths before they are told by that physician's office that we are not taking any new Medicare patients. And why? Why is that happening? Because of the activities, or, in this case, the inactivity of the United States Congress, of the United States House of Representatives.

It is imperative, it is imperative that we address this issue. It is imperative that we address it in a forward-thinking way so that we solve the problem once and for all and we don't have to come back here year after year and face the same problem over and over again, or, as is the case this year, every 6 months and face the problem over and over again.

I have advocated for such a fix many different times on the floor of this House. It has been very difficult to get colleagues on both sides of the aisle to embrace this concept and understand that we must move forward from where we are now. We need a short-term, mid-term and long-term solution to this problem.

What have we done? Again, we find ourselves just about to go over the cliff, just about to fall over the precipice, where once again we tell the Medicare patients of this country that we don't care about them. We tell the physicians who are seeing Medicare patients in this country that we don't value your service and we are going to hit you with a 10.7 percent cut. And that is not the end of it. December 31st, there will be another 5 percent reduction, so a grand total of 15 percent in reduction of Medicare reimbursement before we reach the end of this year.

Mr. Speaker, can you imagine any other business going into their banker and saying, you know what? I have got a great business plan here. I am going to start a business, or expand my business, because, after all, a physician's office is a small business. I am going to go into business or expand my business, and here is my business plan. And the banker looks at it and says, I see it says here you are going to earn 15 percent less this year than you are earning next year on each patient interaction. How in the world could you expect to be able to maintain your business with this type of business plan?

□ 2045

Reality is this type of business plan would not fly anywhere in this country, and yet we are asking over and over again our doctors, our clinics, our health care providers to live under this regimen.

Now, when I address the need for a short-term, mid-term, and long-term solution, let me just lay out for you what I have in mind. The short-term solution is available to us right now. We could delay these cuts to the Medicare reimbursement rate. We could do that by passage of a simple measure that was introduced the last week of May, H.R. 6129. This is a bill that is fully paid for, fully paid for and would forestall the 10.7 percent cut July 1, and the 5 percent cut December 31, to February 1. That is not a great length of time, but it allows us a little more time to work on this problem, actually gets us past the first of the year so that we get to the organization of a new Congress. And maybe, if we did our homework and did our legislative work before we all went home and campaigned for reelection, maybe if we did that work in July and August and September of this year, we could actually have ready to go a package for the new Congress to pass shortly after the first of the year that would deal with this problem.

But it is a paid for solution. It doesn't expand the deficit. It actually uses the same mechanism that was used by the Medicaid moratorium that we all passed. I think there were 300 favorable votes for that Medicaid moratorium on the floor of the House a few weeks ago. This is the same mechanism of taking the money out of the physicians assistance quality initiative to pay for this fix on the physicians payment. It would not expand the deficit, and it would get us passed the first of the year.

The cuts that are looming ahead of us under a formula called the sustainable growth rate formula are going to be significantly pernicious, not just to keep our doctors in business, but to keep our doctors seeing our patients, our Medicaid patients, arguably some of the most complex patients there will be in any medical practice because they have multiple simultaneous conditions.

We are going to prevent those patients from having access to a physician because we are telling the doctors that we don't value their service, and we are telling the patients that we don't value their ability to have access to their doctors who prescribe their treatments, who offer those treatments that are going to keep them living longer and healthier lives.

And there is an unintended consequence to this as well. The unintended consequence is that many of the private insurance companies across the country actually peg their rates to what Medicare reimburses. So they have a contract that says we will pay, in the case of TRICARE, 85 percent of the Medicare usual and customary. In the case of some of the other private insurers, it is a little more generous, they pay 110 percent or 115 percent of Medicare rates. But all of those rates are going to be reduced when Medicare rates in turn are reduced if we don't act by the first of July. And actually, the way things work in Washington, if

we don't have something pretty concrete on the table by the middle of June, the Center for Medicare and Medicaid Services is going to be required to go ahead and put forward their rules and regulations for when this new fee schedule goes into effect July 1.

And make no mistake about it. We can tell ourselves that, oh, we will have time to come back in July and fix this and we will make it retroactive. But we don't make it retroactive for the private insurers who peg to Medicare. And the reality is we are talking about such small volumes on every explanation of benefits that comes through the physician's office that it becomes extremely tedious and time consuming and expensive to track all of these and make certain that the government makes good on its promise and comes back and delivers that.

And how do I know this? I know this because when our side was in charge with the passage of the Deficit Reduction Act right at the end of 2005, because of a technical problem we didn't get actually the bill passed until the first part of January of 2006, and as a consequence the language in the Deficit Reduction Act that would have prevented a programmed reduction in Medicare reimbursement rates, that did not go into effect until well into the month of January 2006. And, again, we had to come back and retroactively make all of these practices whole. And just as a practical matter it becomes very, very difficult for the doctor's office to keep track of that and make certain that in fact those reimbursements were brought up to speed.

The other aspect of this, the mid-term and the long-term aspect, and I have advocated for this for some time. We need to pass legislation that will put us on a path to repeal the sustainable growth rate formula. This is a formula that year over year reduces the rate at which physicians are reimbursed. The reality is Congress almost never sees that through. We always come in and do something to keep our doctors from having to sustain those large cuts in their practice. But every year we come up against this precipice, we come up against this cliff, and every year the doctors' offices are having to make plans for their future. Do they buy new equipment? Do they hire a new partner? Do they bring on additional personnel? Well, they can't tell because they don't know what we are going to do to them in Medicare at the end of the year or, in this case, in the middle of the year.

So we need a method of repealing the sustainable growth rate formula. We have all discussed this. The cost associated with the repeal of that from the Congressional Budget Office is high. So what I have recommended in the past is we put ourselves on a path; we put ourselves on a trajectory to repeal this formula, do it over a couple year's time, get some savings in the meantime to offset that cost. And we all know that those savings are built into the system and they are accruing every day. But rather than having those savings go to part A of Medicare, let's hold them in part B and reduce the cost of repealing the sustainable growth rate formula. And then ultimately, in 2 years' time or so, repeal the SGR formula once and for all and put the Nation's physicians on what is called the Medicare Economic Index.

This is not a formula that I derived; it was created by the Medicare Payment Advisory Commission, the MedPAC Commission several years ago, and it is essentially a cost of living adjustment, the same cost of living adjustment that hospitals receive, the same update that insurance companies receive, the same update that drug companies receive. Let's put part B, the physician's part of Medicare, on that same level playing field with the other participants in part A, part C, and part D of Medicare.

So I did want to get that out there. I encourage my colleagues to look at H.R. 6129. This is an important piece of legislation. It is a rope to throw to the Nation's physicians and patients that are already on their way over the cliff. It is a cliff that we created for them. We gave them the push over the edge. The least we can do at this point is to offer them a little bit of help so that they don't come crashing down at the bottom of that cliff.

Now, the reality is this is only for 7 months' time. This does not take any of the heat off of any of us, that we still need to work on that long-term solution. I actually offered this particular bill as an amendment to the Medicaid moratorium a few weeks ago in committee, and I was told, oh, no, no, no, we can't do that; because if we do that, then the people who might be working on solving this problem will know that the pressure is off and they don't have to work on it. I beg to differ. The pressure will still be on. The mid-term and long-term solutions still are out there to be had, and it will be incumbent upon this Congress, particularly here we are going into an election year, Do you want to go home and talk to your doctor groups around in your district and say: You know what? We just didn't think we had the time to fix this problem that you all are up against, so shortly after I am sworn in next year you will be looking at a 15 percent reduction in your payment rates. And, do you really want to go home and talk to your patients, who already call up their physician's office and say, I am sorry, I am not taking any new Medicare patients; do you really want to go home and face those patients in your town halls when they find out that you didn't lift a finger, you didn't lift a finger to keep this from happening when we all knew it was coming? We knew it was coming last December, and the best we could do was 6 months is the best we can manage. We knew it was coming all spring. We know it is coming now.

Let's fix this. This short-term solution is paid for. It is not going to expand the deficit. No tax increase has to result. It is there. The money is there. We took the money from the same place that the other side took the money for the Medicaid moratorium. Let's take that money and fix this problem short term, and then get on about fixing it long term.

Mr. Speaker, the real reason I came to floor tonight until this other problem took precedence was to talk a little bit about an event we had up here on Capitol Hill about 2 months ago now, and it was done to capture some of the successes that are happening out there in the real world as far as it relates to delivery of health care in this country. This was a symposium that was held on April 8 of this year, was done in conjunction with the Center for Health Transformation. Many people will recognize that organization. This is the organization that was founded and is still run by the former Speaker of the House, Newt Gingrich. He was very kind and generous with his time that day and came to this meeting over in the Rayburn Building, and we talked a little bit about some of the things that are working out there in the real world. Because, after all, Mr. Speaker, do we really want to give up a measure of our freedom in this country? And that is what it would entail if we go to a much more restrictive type of delivery of health care in this country.

Freedom is the foundation of life in America, and unlimited options, unlimited opportunities are something every single one of us on both sides of the aisle takes for granted and will embrace when we give our talks at home, whether it be on Memorial Day or Independence Day. We like to talk about how the freedom of America makes us the greatest country on earth.

Freedom is transformative. Freedom is the basis for what we should be doing when we look at how we can transform the Nation's health care system. And innovation goes hand in hand with those choices.

Come to think of it, Mr. Speaker, when I was a youngster in medical school many, many years ago, I would have never thought we would have seen the day where you could go on the Internet, just an average person, you don't need a doctor's order, you don't need a ton of money; you can go on the Internet and get your human genome sequenced for you individually for less than $1,000. Never when I was in medical school would I have thought you would be able to go on the Internet and get such information. In fact, I wouldn't have known what the Internet was when I was medical school because Al Gore hadn't invented it then. At the same time, today you can go and get that information. We are putting that information in the hands of patients, which then they are going and sharing with their physicians. And this is powerful information for the individual to have.

The New York Times in October of 2006 published a piece by Tyler Cohen

when he talked about the ability to innovate and how it has made American medicine really the envy of the world. Seventeen of the last 25 Nobel Prizes have gone to American scientists working in American labs, and four of the six most important breakthroughs in the last 25 years have occurred because of the research of American scientists, things like the CAT scan, coronary artery bypass, statins for reduction of cholesterol. In fact, the National Institutes of Health will tell you statistics that 800,000 premature deaths from heart disease have been prevented in the last 25 years because of innovation that has in part been developed by the National Institutes of Health and then part developed by the private sector in this country.

So it is truly a good news story, and the reality is America is not done. We are not done with the advancements in medicine. The next generation of breakthroughs, I already alluded to what is happening with the human genome. Look at the speed with which information is now processed and transferred and disseminated. Who would have ever thought that we would be in this phase of rapid learning in which we find ourselves currently. This is truly likely to be the golden age of medical discovery. And the breakthroughs that occur have been a result of the environment that has fostered and encouraged competition and choice.

It doesn't mean we can't make a good thing better. It doesn't mean that everything about our system is perfect. But certainly, when we look at ways in which we might change the system, for heaven's sake, let's not do things that will harm the innovation that our system has brought us. American ingenuity prospers when we strive to be transformational. The reason we can be transformational is because of the degree of freedom we have. Remember, freedom is transformational.

So when we are advancing toward a goal and we are not focused on the transaction like we do with our Medicare reimbursement; when we are focused on the goal of being transformational, that is when good things can happen. But the present debate in Washington is focused on dollars and cents, and we are not focused on the transformational. We are not even looking at ways where we can fundamentally enhance the interaction that occurs between the doctor and the patient in the treatment room. We are simply looking at ways of moving dollars around on a balance sheet, and we do that and we think we have done a good job. And, again, I reference what has happened with the Medicare physician reimbursement rates that are going to go down so much in just a few weeks.

Mr. Speaker, I am one of the few policymakers on Capitol Hill that has also spent a lifetime in health care. For 25 years before I came to Congress, I had my own practice. I have sat in exam rooms with patients, I have looked them in the eye, I have taken a prescription for them and counseled them as to risks and benefits and costs and written a prescription. I figured out how to build my business, how to expand my business. I figured out how to build my business in lean economic times back in the 1980s in Texas. I figured out how to expand my business in good economic times in the 1990s in Texas. I figured out ways to pay my employees and keep the lights on. But, again, if we don't have a commonsense approach to these health care issues, our solutions are going to be far short of the mark.

This experience gives me the practical knowledge to play some role in the development of this policy.

□ 2100

I think this comes in handy because, as we change health care in this country, we want to be certain that we do it in a way that allows health care to still be delivered in this country.

And there's widespread recognition that things need to change. There's different ideas as to how to accomplish it. The good news is that, regardless of what happens tonight, there is going to be a fundamental referendum on health care in this country come November, because whoever prevails on the Democratic side, of course Senator MCCAIN on the Republican side, the views are distinct from each other, and it is going to give the American people a clear choice about the direction to go in health care. One is focused on more government control, and one is focused on more patient control. I'll give you a guess as to which side that I would come down on.

And again, policymakers are focused on change, and the people who care for patients, the people who are involved in their practices, they need to be involved in this discussion as well because, in truth, health care begins and ends partly with patients, but truly with the people who are involved in the delivery of that health care, and specifically I reference physicians and nurses, hospital administrators and other health care personnel will figure into that equation. But those are the individuals who have to be involved in this grand national debate we're going to have about health care transformation in this country over the next 5 months.

And many of my friends who are health care professionals don't realize the critical role that they must play in shaping the health care debate. They must be active, they must be engaged, or otherwise you're going to be forced to sit on the sidelines and play by the rules that other people are going to make for you.

And again, I reference the earlier part of my discussion. You see, the rules that we'll come up with here in Washington, DC , those rules are, let's take 10.7 percent away from our doctors this month, and in 6 months let's take another 5 percent away from them, and then we'll figure something out in the meantime.

Well, I will just tell my friends who are involved with the delivery of health care, whether it's in Washington, whether it's at home in Texas, you need to be involved. You've got to act before all you can do is react. And if health care professionals don't lead, then we'll have to accept what the health care prescription is that is given to us by the people who sit in this body, the people who sit on the other side of the Capitol, whoever sits in the White House.

It doesn't make sense to have a body that is what, two-thirds lawyers, making all of the decisions about how the doctors are going to practice in this country.

One of the possible prescriptions that's out there, one of the things that I find very problematic is expanding the government role for health care.

Mr. Speaker, if I were to pose a hypothetical question, what is the largest single payer government health care system in the world? Well, you know what? It's right here in the United States of America. Our Medicare and Medicaid and all of the other systems that are involved and administered by the Department of Health and Human Services accounts for pretty much 50 cents out of every health care dollar that is spent in this country. That means 50 cents out of every health care dollar that's spent in this country originates right here on the floor of the House of Representatives. And I would just ask you, are we doing such a great job?

I reference my earlier remarks about what's happening to the Medicare system if we don't do something within the next 4 weeks. Are we doing a great job with what we control currently?

Now, the government can play a role by encouraging coverage and maybe help incentivizing and encouraging the creation of programs that people actually want. Rather than forcing them into a government-prescribed program, what if we build something that actually brings value to people's lives and offer that as an alternative as we try to expand access to health care and health care coverage in this country.

And the good news is we actually have a model within the very recent past that has worked, and worked very well, and that is the Medicare Part D program which began in this Congress my first year here in 2003, and rolled out on January 1, 2006. And as a consequence, now, 90 percent of the seniors in this country have some type of coverage for their prescriptions. Contrast that to when I took office and that number was somewhat below 60 percent. So that has been a good thing. It has moved in a positive direction.

Well, what do people think about this program that has now been in effect for a couple of years? Well, current polling shows about a 90 percent satisfaction rate with Medicare Part D. So that's a

good news story. We've got 90 percent of the people covered. We've got 90 percent positive ratings with various polls.

Well, what about the cost? We heard a lot about the cost on the floor of this House as we debated that bill and in the aftermath after that bill was passed, but the reality is when we passed that bill in the House, the Center for Medicare and Medicaid Services projected the cost per enrollee per month to be about $37.50. The reality is, the cost currently is about $24.50, and it has been stable over the time that this program has been in effect.

So here's a Federal program that, yeah, it has been a joint public/private partnership, but 90 percent coverage, 90 percent acceptance rate, and came in at a cost two-thirds of what was originally projected. I would say, from the limited time I've had here in Washington, that's the definition of a success story with a Federal program.

So 29 people are enrolled as of 2007, and the average cost is less than $24 a month. The first Federal program to rein runaway medical spending by restoring savings incentives and leveraging the power of that public private competition.

So overall, some of the best things that government can do is, when they recognize that there's a problem in say the delivery of health care or even in arenas such as health care information technology, we can kind of set the stage and tell people what our expectations are, and then get out of the way. Don't put a lot of regulation. Don't put new causes for liability out there. Get out of the way, and let the private sector do what they do best, what they do every day of the week. If we can do that by creating the right environment to let the private sector deliver the kind of innovation, the kind of cost savings and the type of quality that realistically has been delivered to other industries over and over and over again, if we can do that then maybe we have done something worthwhile.

You know, these are the same market forces that took us from a single black rotary telephone to these fancy electronic devices that all of us carry with us 24 hours a day now. We cannot imagine being without our iPods and iPhones and BlackBerrys. But it wasn't too many years ago, in fact, the year I started in private practice where it was a single line black rotary telephone, and we thought it was the height of high technology when we got those little push buttons on our phone.

Look at the change that's happened in aviation in literally what has been now the first century of aviation, going from the type of plane that the Wright brothers flew to the Boeing 787 dream liner that is coming on-line now. We have seen fantastic change.

I already mentioned the inventor of the Internet, and in the short period of time, we've come to the age that's brought us things like iTunes and YouTube, things that most of us now would find indispensable. If someone said we're going to take this away from you, we'd say that's not a good idea. We'd rather the government wouldn't do that.

But here's the secret. Here's the deal. The free market is delivering this same kind of value every day, day in, day out. Innovation and efficiency are hallmarks of what they're able to do. So why not? Why not allow them to participate in this grand plan that we call transformation of the Nation's health care system?

I've experienced it, and I'm excited about experiencing more of it and learning more about it, both as a legislator and as a professional in medicine.

But I just have to tell you, this past fall, Health Affairs did a symposium in downtown Washington, and I went to that symposium. I largely went because Dr. Mark McClellan was going to talk about his experiences with the Medicare program, Medicare Part D Program. Dr. Elias Zerhouni was going to talk about his experience with the National Institute of Health. But I had really no intention of sitting and listening to Ron Williams talk about—the new CEO of Aetna talk about what was happening within Aetna because I thought, well, Aetna's one of those private insurers who really, as a provider, we've oftentimes been at odds. But I listened to Dr. Zerhouni and I listened to Dr. McClellan. But it was Ron Williams who really talked about the biggest changes that are coming in medicine, particularly in the arena of health information technology, and the things that he was talking about were truly transformative.

So my question to him later was to ask why is—what would you require, what is the environment that you require to be able to do these great things that you're talking about? And he outlined perhaps a program where there would be some certainty as to what the privacy regulations are.

We all talk about privacy in this body. We're going to have a hearing about it tomorrow. But does anybody really understand what we mean when we say we want some privacy provisions? What about the STAR clause that prevents a hospital from putting a computer line in a doctor's office? Is that really a good idea as we go forward with wanting to develop more and better situations where we can have advancement in health information technology? Is that truly such a good idea?

Maybe we would do better if we relaxed some of the regulations, if we provided some certainty in the areas of liability, provided some certainty in the area in the definition of things like privacy, maybe that would be a better way to go about it.

During that discussion with the CEO of a large insurance company, he talked about things, about the different algorithms they've developed purely from using financial data, no clinical data involved, but the types of anticipation that they could now have about very expensive diseases that they might have to pay for and the clues they could get very early on in the process of this, and how they might be able to moderate or modify activities so that they didn't have to pay for that very expensive care at the end stage of the disease, they could actually work on that at an earlier stage and not only prevent the large expenditure for the more expensive disease, but also improve the quality of life because, after all, we're increasing the amount of time that a person has in a state of relative good health.

Another company that I talked to recently talked about a new test they're going to have for a disease called preeclampsia, pregnancy-induced hypertension. When I was in practice, and even just a few years ago, if you saw a patient where you were worried that this might be happening, about the only option you have was to put the patient in the hospital and observe them over time and see whether this was a real phenomenon or just a one-time event. But the price you paid for being wrong was severe, and certainly could result in severe injury to the patient and/or her baby. So we always erred on the side of caution with that.

But now there may be a new blood test that will elucidate very quickly whether someone is truly at risk for this problem, or if perhaps this one indication of elevated blood pressure was just an outlier, and, in fact, they aren't truly at risk for this problem. This would be a tremendous tool to put in the hands of clinicians. And look at the savings, not just in eliminating some of the unnecessary hospitalizations, but making certain that the people who really need the intensive care get that intensive care and get the intensive observation and scrutiny that their particular situation demands.

And a recent study out of Dartmouth outlined how hospitals can deliver better care and do a better job at a lower cost by embracing some measures of efficiency. This study demonstrated that Medicare could save as much as $10 billion a year if all United States hospitals followed the example of the most efficient hospitals. These facilities didn't cut costs at the expense of patient care, but focused on better coordination of care and better avenues of communication between doctors and specialists and better avenues of communications between hospitals.

Now, again, earlier in the month of April I was fortunate to co-host a panel with former Speaker Newt Gingrich which focused on some of the real world examples of success in health care transformation. And Mr. Speaker, I'll just tell you, it's no secret to people in this body that former Speaker Gingrich is a real leader when it comes to leading the charge for change in the arena of health care. He's involved in a great many other things, but certainly, in the arena of change in health care, former Speaker Gingrich has really

pushed this to the forefront, and has really—I am so grateful for his involvement in that, and his bringing new ideas and new people to the table on a constant basis that help us, are going to help us evolve into this system that we all would like to think that we can help deliver to our country.

Now, he brought in several companies that demonstrated how free market choice and competition can lead to more options at a lower cost, when it comes to health care. And let me just share a little bit about what we learned that day. Since there weren't many Members who were able to attend, let's talk a little bit about some of the companies that are relying on innovation to save lives and save money and to actually save time in the process.

Overall, there was agreement that we can get better results with what—we don't have to pay more money. With the money that we're paying right now, we can get better results by actually engaging patients in their own care. And you know, this goes back to what Dr. Zerhouni has talked about at the National Institute of Health.

Because of what we've learned about the human genome, medical care is going to be personalized to a level that no one ever thought about before. You're going to be able to know, no longer will it be a course, a question of, well, we're going to try this particular medication because we'll see how it works. If it doesn't work, we've got an alternate.

□ 2115

You will actually know that beforehand because of knowing about a person's genetic makeup. So medicine will become a great deal more personalized.

Because of that, it's going to be also, it's going to be, of necessity, focused on prevention. We know what diseases you're at risk for so we're going to recognize that and focus on the preventive aspects of that. And as a consequence, it has to become more participatory. That is, the patient can no longer simply be a passive recipient of health care services and the expense of health care doctors. The patients themselves need to be involved in the maintenance of their health and the decisions surrounding the delivery of health care.

Now, in industry circles, this is what is known as consumer-directed health care, consumer-driven health care. The goal of consumer-directed health care is to kind of eliminate the middleman, in our case the government, or it could be the insurer in the private sector who tries to find their way in as a wedge.

Remember I talked about that fundamental interaction between the doctor and patient in the treatment room? What of the barriers to enhancing that relationship? Well, it can be the government, it could even be a private insurance company. If we can somehow remove the middleman, number one, the patient will not be so insensitive, so anesthetized as to the cost of their care; and they will be more in tune to the benefits that can accrue to them should they work harder on participating in their own health care.

If people are anesthetized, Mr. Speaker, they're anesthetized to the true cost of health care. All they want to know is when and if they can see their doctor and what their co-pay will be and if you order expensive tests, like a CAT scan or an MRI, the only question is is it covered; not is it necessary, is it truly something I need, how is this truly going to benefit my care in the future. It's, well, will insurance pay for it, and if it does, do I have to pay a co-pay.

Now, I know from personal experience, and certainly my staff has told me this as well, you know, you receive one of those forms. It's called an EOB, explanation of benefits. You receive one of those from the insurance companies. Most people toss it. It's so confusing. It really has no bearing on reality anyway. It doesn't have anything to do with the ultimate cost or the ultimate bill that was paid either by the insurance company or the individual so most people just simply pay no attention to that; and yet this is the one piece of paper that actually tells the patient what it costs to deliver the care that they have just received.

So that means they're consuming health care services but they're not conscious of the costs. So there's little incentive on their part to modify their behavior to do things better next time, to be active participants in their own health care.

So consumer-directed health care says if people aren't anesthetized, if people are fully awake and fully conscious, they're more likely to make sound and wise decisions about their lifestyle and about maintaining their own health.

Now, there was a McKenzie study that found that consumer-directed health care patients were twice as likely as patients in traditional plans to ask about costs and three times as likely to choose a less expensive treatment option, and chronic patients were 20 percent more likely to follow their outlined regimen very carefully.

Now critics argue that consumer-directed health care will cause consumers, particularly those who might be less wealthy or less well-educated, to avoid appropriate and needed health care because of the cost burden and the inability, the inability to make informed and appropriate choices.

Now, one of the companies that was at the panel we did in April had data that actually contradicted that criticism. The Midwestern Health Care Company introduced a consumer-directed health plan to its 8,600 employees. They also left their traditional PPO, their regular insurance, in place. In the first year, 79 percent of employees chose one of four consumer-directed health plans. These health plans had several important features, but two of those were preventive care was free and employees received financial incentive to change behaviors like smoking and weight control.

In addition, they also received some incentive to manage chronic conditions like asthma and diabetes, that is, see their physicians at the prescribed time, take the prescribed medicines according to the directions and do the appropriate follow-ups.

So this has been in place for a couple of years. Do we have any statistics, are there any metrics that would indicate an overall direction of improvement? And in fact, 7 percent of health care dollars were spent on prevention compared to a national average of a little less than 2½. So that's a significant increase. And nearly 40 percent of the employees now take an annual personal health risk assessment and earn $100.

Nearly 500 employees have quit smoking, and as a group, that 8,600 employees have lost 13,000 pounds through weight-management programs.

From a cost standpoint has there been a difference? And the answer is yes. The average claim increase of 5.1 percent in the past 2 years compared with those who are in traditional PPO-type insurance where the claims increased 8 percent. So a 3 percent reduction for an increase in claims activity for people who were taking a more active role in the involvement of their own health care.

This company has a lot of impressive data. Policymakers can, in fact, learn from the example that was brought to us that day. And we can learn from some of the other companies as well.

One of the largest for-profit health insurance companies featured on the panel described their incentive-based health benefit design. Now, they have a plan that is a high-deductible plan. It's a $5,000 deductible for a family. I don't think anyone would argue that that's a fairly high deductible for a family to have to face if they have an illness. But the good news is that family, with that $5,000 deductible, and of course they get a break on their premium with such a high-deductible plan, their premium costs less than some of the other plans. So they do save money on the premium.

But also if they're willing to participate in some things like weight control, smoking cessation, cholesterol screening, exercise management, if they're willing to participate in those, they can reduce that $5,000 deductible in $1,000 increments down to a $1,000 deductible with no increase in their premium. So they still have the very low premium associated with a $5,000 deductible plan, but now they've reduced their deductible to $1,000 for that family, which is a much more manageable figure.

And how did that they do that? Because they voluntarily enrolled in a smoking cessation plan, they voluntarily enrolled in a plan to measure cholesterol, and because they voluntarily enrolled in a plan to actively manage their weight and increase their

exercise. So positive things that the individuals can do themselves that result in an actual benefit as far as the insurance expenditure is concerned.

Now, there were also some very positive results from some of the other consumer-directed health care options. 88 percent of health savings account holders carried a balance from 2006 into 2007. That means they didn't spend all of their money that was set aside for health care expenditures, and they were actually able to carry that forward into the next year. And you can imagine doing that year over year over year along with the miracle of compound interest, as long as you start young, that can be a powerful way to put some savings in place for payment for health care later on.

I actually say this from personal experience. I was one of the first people to get a medical savings account. This Congress, under the leadership of former chairman Bill Archer of the Ways and Means Committee, passed a medical savings account bill in 1996. In 1997, I signed up for one. I had it until I came to Congress at the beginning of 2003, and that money now sits there and grows year in and year out and is a substantial amount of money that is now available for treating health-related conditions well into the future. That is a powerful tool to put in the hands of someone. And the actuality is the earlier you start, the more powerful is that concept.

So 88 percent of health savings account holders had a carryover balance from 2006 to 2007. And the average balance among people who were judged to be of low income was almost $600, $597 on average. So that's not insignificant.

Now, how many Americans are encouraged to live healthier lives and to conserve their health benefits like these individuals that we've just described? People that are making personal decisions about prevention and lifestyle and managing chronic conditions and cost. Most people with other private health insurance are not because there is no reason for them to. They just simply pay their insurance premium every month. They hope that they don't have to use it. They hope that their health is not threatened and they have to rely on this insurance company, and if they do, they hope that they will in fact be covered when that illness strikes.

In fact, Mr. Speaker, within my own family, I have a youngster who teaches school. He teaches middle school there in Denton, Texas. Once I said, You know, you have gotten to an age where you need to think about preventative health care. You need to think about going to see the doctor once a year for a physical and having some lab work done and having a few things checked. He said, I don't need to do that. I thought he was going to tell me because he was young and indestructible. He said, I don't have to do that because they came to our school and did a bunch of blood tests and told me I was fine.

I said, What do you mean they came to your school and did a bunch of blood tests? He said, Yeah. If we went out and had the nurse draw our blood, they would actually give us $20 a month off of our health insurance premium, and I did the math. That's $240 a year. I'll take that in exchange for having a little blood work done.

How forward-thinking for this independent school district to provide that type of service. That way if someone in fact does have an elevated cholesterol but it's entirely silent and they have no idea that they have it, that person can be identified and have some treatment started that will prevent the problem down the road. And in fact if there are no problems, then the school district also benefits because they know they have a very healthy workforce, and they are very fortunate to have a very healthy workforce working for them.

But the closet diabetic, the person with high cholesterol that is otherwise not known, the person with other medical conditions that is otherwise not known, the person with even illnesses that would lead to electrolyte imbalances may be discovered by those types of screening tests.

So this, all in all, is a good thing and a way for, yes, the independent school district to save money on some of those higher dollars, just like the CEO at Aetna described, being able to save money on those higher-dollar diagnoses by paying a little bit of money on the front end to, in this case, to elucidate those conditions, and then if they are found, to encourage that person to perhaps seek some treatment for that.

So there is, of course, a quote that we're all familiar with about the fundamentals of learning being reading, writing, and arithmetic. Perhaps for Congress our fundamentals for health care should be risk, responsibilities, and rewards. And if we will focus on those—after all, on both sides of the aisle, who can be opposed to more care, lower cost, better quality? I mean, how can you be opposed to those three things? That's what we all talk about in all of these lofty terms about what we're all for.

Well, let's be for that. Let's be for that and ensure that we put the tools in the hands of the American people so that they can actually participate themselves in the blessings that the American health care system is likely be able to provide for them in the years to come.

So, that's the right prescription for health professionals, and it's the right prescription for them to push for when it comes to real system reform, and it's the right prescription for Members of Congress to subscribe to as well.

So let me just finish by once again stressing the importance that we've got some immediate work in health care ahead of us. Forget all of the stuff that's going to happen in the presidential election. If we don't fix this problem with the Medicare physician reimbursement rate, if we don't fix or stop those cuts that are going to go into place in just a few weeks time, then a lot of this discussion will be for nought because we will have driven doctors out of practices and we will ensure that patients don't have access to care of any type. Whether it is expensive care, whether it is quality care, it doesn't matter. We will just have ensured that our Medicare patients don't have access to that care.

So I do urge my colleagues to please pay attention to this. Look into whatever bill you want. I urge to you look into H.R. 6129, which is a paid-for short-term solution to the cliff about which we're fixing to go over the edge. And I do want to encourage my colleagues to focus on this because this is extremely important. This is important to the doctors and patients back in your district.

Nothing is more personal to a person than their medical care and their relationship with their physician, and this hits right at the heart of that relationship if we allow these cuts to go into place and oh, yeah, by the way, there's another 5 percent reduction where that came from waiting for you at the end of the year.

□ 2130

Make no mistake about it, Mr. Speaker, this is a presidential election year. All eyes tonight are going to be on what is billed as the last presidential primary, and then we'll start the fall campaign literally tomorrow morning.

Make no mistake, it's going to be difficult for things to rise to the top of the national discussion, which is why I encourage my colleagues to take the time and trouble now to look at this legislation, look at H.R. 6129, do the right thing and get behind this bill, if you can, and let's deliver to the Speaker of the House of Representatives a significant number of cosponsors, 200 or 300 cosponsors, so that we will actually get this legislation done in what remains of the days between now and the 4th of July break. And perhaps we can also, too, get some attention over in the other body on the other side of the Capitol so they will take this up as well.

There's probably no more important thing, perhaps with the exception of passing the Foreign Intelligence Surveillance Act, but there's probably no more important or intense piece of legislation that we can take up these next 4 weeks. This is an immediate concern. This is a clear and present danger to the physicians who practice in this country and the patients who depend on those physicians for their health care, the access for those patients to their physicians. This is the number one issue of this Congress this month, and we should not shirk our responsibility.

Please, let's don't do what they did in December and just simply walk away from this responsibility. Let's

take charge of this. We have it within our power to affect this.

Again, this is a paid-for provision. This is not going to expand the deficit. It doesn't create a tax increase. It doesn't take money away from anyone else. This is the right thing to do. And this Congress, this Congress ought to stand up and do the right thing when it comes to the patients and the physicians of this country.

On the larger issue of the health care referendum that we're going to be facing in this country, I urge my colleagues to listen very carefully to the arguments that are going to come from both political parties as we go into the fall presidential election. Please remember that that which grows the government side of health care may not be in the best interests of patients in the long term. And those programs that tend to encourage the involvement of the private sector and tend to encourage the participation of the patient in the maintenance of their own health care, those are programs that are likely to deliver value and allow us to continue what has been the greatest health care system the world has ever known.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ELLISON (at the request of Mr. HOYER) for today.

Mr. KANJORSKI (at the request of Mr. HOYER) for today on account of personal reasons.

Ms. MCCOLLUM of Minnesota (at the request of Mr. HOYER) for today.

Mr. PEARCE (at the request of Mr. BOEHNER) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today and June 4, 5, 6, 9, and 10.

Mr. JONES of North Carolina, for 5 minutes, today and June 4, 5, 6, 9, and 10.

Mr. DEAL of Georgia, for 5 minutes, June 4.

Mr. BURTON of Indiana, for 5 minutes, today and June 4, 5, and 6.

Mr. BROUN of Georgia, for 5 minutes, today and June 4.

Mr. BURGESS, for 5 minutes, today.

Mr. MCCOTTER, for 5 minutes, June 4.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today and June 4, 5, and 6.

Mr. TANCREDO, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, today and June 5.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as folows:

S. 1965. An act to protect children from cybercrimes, including crimes by online predators, to enhance efforts to identify and eliminate child pornography, and to help parents shield their children from material that is inappropriate for minors; to the Committee on Energy and Commerce.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker on May 22, 2008:

H.R. 2356. An act to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

H.R. 2517. An act to amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

H.R 4008. An act to amend the Fair Credit Reporting Act to make technical corrections to the definitions of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

Ms. Lorraine C. Miller, Clerk of the House, further reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by Speaker pro tempore, Mr. HOYER, on May 27, 2008:

H.R. 6081. An act to amend the Internal Revenue Code of 1986 to provide benefits for military personnel, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 2829. To make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

S. 3029. To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3035. To temporarily extend the programs under the Higher Education Act of 1965.

S.J. Res. 17. Directing the United States to initiate international discussions and take necessary steps with other nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House, reports that on May 23, 2008 she presented to the President of the United States, for his approval, the following bills:

H.R. 2356. To amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

H.R. 2517. To amend the Missing Children's Assistance Act to authorize appropriations; and for other purposes.

H.R. 4008. To amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 4, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6830. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes [Docket No. AMS-L&RRS-08-0015] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6831. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown in South Florida and Imported Avocados; Revision of the Maturity Requirements [Docket No. AMS-FV-07-0054; FV07-915-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6832. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Sorghum Promotion, Research, and Information Order [Docket No. AMS-LS-07-0056, LS-07-02] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6833. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Dairy Promotion and Research Program; Section 610 Review [Docket No. AMS-DA-08-2004; DA-06-04] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6834. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Peanut Promotion, Research, and Information Order; Amendment to Primary Peanut-Producing States and Adjustment of Membership [Docket No.: AMS-FV-08-0001; FV-08-701 IFR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6835. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Olives Grown in California; Decreased Assessment Rate [Docket No. AMS-FV-07-0155; FV08-932-1 FIR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6836. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2008-2009 Marketing Year [Docket Nos. AMS-FV-07-0135; FV08-985-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6837. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Onions Grown in South Texas; Increased Assessment Rate [Docket No. AMS-FV-07-0151; FV08-959-1 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6838. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Change in Reporting Requirements [Docket No. AMS-FV-07-0095; FV07-983-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6839. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Change in Reporting Requirements [Docket No. AMS-FV-07-0095; FV07-983-2 FR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6840. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Pistachios Grown in California; Changes in Handling Requirements [Docket No. AMS-FV-07-0082; FV07-983-1 FIR] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6841. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines and Tangelos Grown in Florida; Section 610 Review [Docket No. AMS-FV-07-0017; FV07-905-610 Review] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6842. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading; Correction [Docket No. AMS-PY-08-0030; PY-06-002] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6843. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Milk in the Appalachian and Southeast Marketing Areas; Correction [AMS-DA-07-0059; AO-388-A22 and AO-366-A51; Docket No. DA-07-03-A] received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6844. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Karnal Bunt; Removal of Regulated Areas in Texas [Docket No. APHIS-2007-0157] received April 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6845. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting notification of the review and certification of the Joint Air-to-Surface Standoff Missile (JASSM) program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

6846. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John F. Sattler, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6847. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Paul E. Sullivan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6848. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Kevin J. Cosgriff, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6849. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert D. Bishop, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6850. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Christopher A. Kelly, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6851. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General David F. Melcher, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6852. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James M. Dubik, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

6853. A letter from the Secretary, Department of Defense, transmitting a letter on the certification of Lieutenant General Philip R. Kensinger, Jr., United States Army; to the Committee on Armed Services.

6854. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting notification of the Department's decision to convert to contract the intermediate level ship maintenance support functions; to the Committee on Armed Services.

6855. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting a letter on the report required by Section 888 of the National Defense Authorization Act of Fiscal Year 2008; to the Committee on Armed Services.

6856. A letter from the Deputy Under Secretary for Acquisition and Technology, Department of Defense, transmitting the Department's annual report on extensions of a contract period to a total of more than ten years, pursuant to 10 U.S.C. 2304a(f) Public Law 108-375, section 813; to the Committee on Armed Services.

6857. A letter from the Deputy Under Secretary foe Logistics and Material Readiness, Department of Defense, transmitting a report on the budgeting of the Department of Defense for the sustainment of key military equipment for 2008, pursuant to Public Law 109-163, section 361; to the Committee on Armed Services.

6858. A letter from the Assistant Secretary for Installations and Environment, Department of the Navy, Department of Defense, transmitting the Department's decision to conduct a streamlines A-76 competition of aircraft maintenance functions at Andrews Air Force Base, MD; to the Committee on Armed Services.

6859. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the National Guard ChalleNGe Program Annual Report for Fiscal Year 2007, pursuant to 32 U.S.C. 509(k); to the Committee on Armed Services.

6860. A letter from the Assistant Secretary for Elementary and Secondary Education, Department of Education, transmitting the Department's final rule — Jacob K. Javits Gifted and Talented Students Education Program — received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6861. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Demands for Testimony or Records in Legal Proceedings [Docket ID ED-2007-OS-0138] received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6862. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research (NIDRR)—-Disability and Rehabilitation Research Projects and Centers Program--Disability Rehabilitation Research Projects (DRRPs) received April 30, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

6863. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — State Long-Term Care Partnership Program: Reporting Requirements for Insurers [ASPE:LTCI] (RIN: 0991-AB44) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6864. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

6865. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 07-08 informing of an intent to sign the Agreement between the Department of Defense of the United States and the Defence Material Administration of the Kingdom of Sweden for Production and Deployment of the Excalibur 155mm Precision Guided, Extended Range Projectile, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

6866. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

6867. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to section 36(b)(5)(A) of the Arms Export Control Act, relating to enhancements and upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 08-25 of 4 December 2007 (Transmittal No. 0B-08); to the Committee on Foreign Affairs.

6868. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 08-61 concerning the Department of the Air Force's proposed Letter(s)of Offer and Acceptance to Australia for defense articles and services; to the Committee on Foreign Affairs.

6869. A letter from the Director, Defense Security Cooperation Agency, transmitting the quarterly reports in accordance with Sections 36(a) and 26(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6870. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the application for a license for the manufacture of significant military equipment abroad and the export of technical data, defense services and defense articles to the Government of Japan (Transmittal No. DDTC 061-08); to the Committee on Foreign Affairs.

6871. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of aplication of a license for the export of defense articles and services to the Government of Japan (Transmittal No. DDTC 047-07); to the Committee on Foreign Affairs.

6872. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of an application of a license for the export of defense articles and services to the Governments of Russia, Ukraine, and Norway (Transmittal No. DDTC 037-06); to the Committee on Foreign Affairs.

6873. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed manufacturing license agreement for the export of defense articles and services to the Government of the United Kingdom (Transmittal No. DDTC 021-08); to the Committee on Foreign Affairs.

6874. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles to the Government of Georgia (Transmittal No. DDTC 047-08); to the Committee on Foreign Affairs.

6875. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification of a proposed agreement for the export of defense articles and services to the Governments of Russia and Kazakhstan (Transmittal No. DDTC 034-07); to the Committee on Foreign Affairs.

6876. A letter from the Director, U.S. Office of Personnel Management, Office of Personnel Management, transmitting the Office's final rule — Political Activity — Federal Employees Residing in Designated Localities (RIN: 3206-AL32) received May 15, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6877. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Absence and Leave; Annual Leave for Senior-Level Employees (RIN: 3206-AL49) received April 8, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

6878. A letter from the Chief, Division of Migratory Bird Management, Department of the Interior, transmitting the Department's final rule — Authorizations Under the Bald and Golden Eagle Protection Act for Take of Eagles [[FWS-R9-MB-2008-0057][91200-1231-9BPP-L2]] (RIN: 1018-AV11) received May 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

6879. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2074; (H. Doc. No. —118); to the Committee on the Judiciary and ordered to be printed.

6880. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2075; (H. Doc. No. —119); to the Committee on the Judiciary and ordered to be printed.

6881. A letter from the Chief Justice, Supreme Court of the United States, transmitting amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court, pursuant to 28 U.S.C. 2072; (H. Doc. No. —117); to the Committee on the Judiciary and ordered to be printed.

6882. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Survivors' and Dependents' Educational Assistance Program Period of Eligibility for Eligible Children and Other Miscellaneous Issues (RIN: 2900-AL44) received May 27, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

6883. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Changes for Long-Term Care Hospitals Required by Certain Provisions of the Medicare, Medicaid, SCHIP, Extension Act of 2007: 3-Year Moratorium on the Establishment of New Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities and Increases in Beds in Existing Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities; and 3-YearDelay in the Application of Certain Payment Adjustments [CMS-0938-IFC2] (RIN: 0938-AP33) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6884. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 601.602: Tax forms and instructions. (Also: Part 1, 1, 223.) (Rev. Proc. 2008-29) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6885. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 26 CFR 1.482-1: Allocation of income and deductions among taxpayers (Rev. Proc. 2008-31) received May 23, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6886. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting a report concerning the extension of waiver authority for Turkmenistan, pursuant to Public Law 93-618, Subsection 402(d)(1) and 409; (H. Doc. No. —116); to the Committee on Ways and Means and ordered to be printed.

6887. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Medicare Part D Claims Data [CMS-4119-F] (RIN: 0938-AO58) received May 22, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

6888. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Provider Reimbursement Determinations and Appeals [CMS-1727-F] (RIN: 0938-AL54) received May 21, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on May 22, 2008]

Mr. BERMAN: Committee on Foreign Affairs. H.R. 6028. A bill to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes; with an amendment (Rept. 110–673 Pt. 1). Ordered to be printed.

[Filed on June 3, 2008]

Mr. OBERSTAR: Committee on Transportation and Infrastructure. H.R. 5599. A bill to designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the ''Thomas Jefferson Census Bureau Headquarters Building'' (Rept. 110–674). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 311. Resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (Rept. 110–675). Referred to the House Calendar.

Mr. OBERSTAR: Committee on Transportation and Infrastructure. House Concurrent Resolution 335. Resolution authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated (Rept. 110–676). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 1233. A resolution providing for consideration of the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (Rept. 110–677). Referred to the House Calendar.

Ms. SUTTON: Committee on Rules. House Resolution 1234. A resolution providing for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities, and for other purposes (Rept. 110–678). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on May 22, 2008]

H.R. 6028. Referral to the Committee on the Judiciary extended for a period ending not later than June 6, 2008.

[The following action occurred on May 30, 2008]

H.R. 5577. Referral to the Committee on Energy and Commerce extended for a period ending not later than July 11, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. KELLER of Florida (for himself and Mr. SCALISE):

H.R. 6167. A bill to amend title 18, United States Code, to strengthen penalties for child pornography offenses, child sex trafficking offenses, and other sexual offenses committed against children; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN:

H.R. 6168. A bill to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. AKIN:

H.R. 6169. A bill to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''; to the Committee on Oversight and Government Reform.

By Mrs. CAPITO (for herself and Mr. SHIMKUS):

H.R. 6170. A bill to require the inclusion of coal-derived fuel at certain volumes in aviation fuel, motor vehicle fuel, home heating oil, and boiler fuel; to the Committee on Energy and Commerce.

By Mr. DANIEL E. LUNGREN of California:

H.R. 6171. A bill to provide for the establishment of a commission and a national competition to significantly improve the energy efficiency of and reduce emissions from Federal buildings in the National Capital Region; to the Committee on Oversight and Government Reform.

By Mr. RAMSTAD (for himself, Mr. KIND, Mr. WALZ of Minnesota, Mr. KLINE of Minnesota, Ms. MCCOLLUM of Minnesota, Mr. ELLISON, Mrs. BACHMANN, Mr. PETERSON of Minnesota, and Mr. OBERSTAR):

H.R. 6172. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past-due; to the Committee on Ways and Means.

By Mr. SESSIONS:

H.R. 6173. A bill to amend the Internal Revenue Code of 1986 to suspend temporarily the excise tax on aviation fuel used in commercial aviation; to the Committee on Ways and Means.

By Mr. WEXLER:

H.R. 6174. A bill to amend part C of title XVIII of the Social Security Act to reduce variation in Medicare Advantage payment rates among counties within the same State within certain very large metropolitan area; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. GORDON, Mr. LEWIS of Georgia, Mr. CHANDLER, Mr. HARE, Ms. SUTTON, Mr. HONDA, Mr. LIPINSKI, and Ms. LEE):

H. Con. Res. 366. Concurrent resolution expressing the sense of Congress that increasing American capabilities in science, mathematics, and technology education should be a national priority; to the Committee on Science and Technology.

By Mr. KENNEDY:

H. Con. Res. 367. Concurrent resolution expressing support for designation of the period beginning on June 9, 2008, and ending on June 13, 2008, as ''National Health Information Technology Week''; to the Committee on Energy and Commerce.

By Mr. SCALISE:

H. Res. 1235. A resolution expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage, and sacrifice of the men and women who fought and won World War II; to the Committee on Veterans' Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 87: Mr. SOUDER.
H.R. 154: Mr. OLVER and Mr. MARKEY.
H.R. 269: Mr. CARSON.
H.R. 333: Mr. COURTNEY.
H.R. 371: Mr. FILNER.
H.R. 378: Mr. SESTAK.
H.R. 423: Mr. RAMSTAD and Mr. ROGERS of Michigan.
H.R. 503: Mr. CARSON and Mr. ENGLISH of Pennsylvania.
H.R. 621: Mr. MCHENRY.
H.R. 643: Mr. GEORGE MILLER of California, Mr. ARCURI, and Mrs. MCCARTHY of New York.
H.R. 699: Mrs. MUSGRAVE.
H.R. 879: Mr. LAMBORN.
H.R. 936: Mr. CARSON.
H.R. 971: Ms. CLARKE.
H.R. 1017: Mr. CARSON.
H.R. 1073: Mr. OBERSTAR.
H.R. 1076: Mr. ELLISON.
H.R. 1078: Mr. OLVER.
H.R. 1120: Mr. THORNBERRY.
H.R. 1157: Mr. YARMUTH.
H.R. 1185: Ms. HIRONO, Mr. CARSON, and Mr. KUCINICH.
H.R. 1188: Mr. RUSH and Mr. COHEN.
H.R. 1190: Mr. TIBERI and Mr. CARSON.
H.R. 1275: Mr. HINOJOSA.
H.R. 1279: Mrs. NAPOLITANO.
H.R. 1283: Mr. ARCURI.
H.R. 1304: Mr. LARSON of Connecticut.
H.R. 1306: Mr. JONES of North Carolina and Mr. KING of New York.
H.R. 1322: Mr. CARSON.
H.R. 1359: Mr. ROSKAM.
H.R. 1363: Mr. CUELLAR and Mr. LOEBSACK.
H.R. 1439: Mr. HINOJOSA.
H.R. 1532: Mrs. TAUSCHER.
H.R. 1553: Mr. HELLER and Mr. KUHL of New York.
H.R. 1576: Mr. LINCOLN DAVIS of Tennessee.
H.R. 1606: Mr. HIGGINS, Mr. HINCHEY, and Mr. ALTMIRE.
H.R. 1621: Mr. JOHNSON of Georgia.
H.R. 1644: Mr. OBERSTAR.
H.R. 1653: Mr. CARSON.
H.R. 1683: Mr. CARSON.
H.R. 1732: Mr. CARSON.
H.R. 1748: Mr. RUPPERSBERGER.
H.R. 1781: Mr. ARCURI.
H.R. 1829: Mr. SOUDER.
H.R. 1932: Mr. ANDREWS.
H.R. 1940: Mr. GRAVES.
H.R. 1956: Mr. PAUL and Mr. SESTAK.
H.R. 2032: Ms. BERKLEY, Mr. CAPUANO, and Mr. ENGEL.
H.R. 2092: Mr. MCNERNEY, Mr. BISHOP of New York, Mr. STARK, Mr. PALLONE, and Mr. WU.
H.R. 2131: Mr. LEWIS of Georgia and Ms. SUTTON.
H.R. 2154: Mr. BURTON of Indiana.
H.R. 2160: Mr. SHAYS.
H.R. 2164: Mr. HALL of Texas.
H.R. 2183: Mr. WALBERG and Mr. ARCURI.
H.R. 2192: Mr. CARSON.
H.R. 2193: Mr. SESTAK.
H.R. 2241: Mr. GORDON and Mr. CARSON.
H.R. 2244: Mr. PASTOR.
H.R. 2268: Mr. INSLEE and Mr. TIERNEY.
H.R. 2452: Mr. SESTAK and Mr. RUPPERSBERGER.
H.R. 2472: Mr. POMEROY, Mr. REHBERG, and Mr. SIRES.
H.R. 2493: Mr. BARTON of Texas, Mr. DEAL of Georgia, Mr. SHADEGG, Mr. RADANOVICH, Mr. WALDEN of Oregon, Mr. ROGERS of Michigan, Mrs. MYRICK, Mr. WHITFIELD of Kentucky, Mr. WILSON of South Carolina, Mr. PICKERING, Mr. PITTS, Mr. TERRY, Mr. SULLIVAN, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. GALLEGLY, Mr. PEARCE, Mr. MCCRERY, Mr. HERGER, and Mr. KUHL of New York.
H.R. 2514: Ms. MATSUI and Ms. ROYBAL-ALLARD.
H.R. 2567: Mr. CARSON.
H.R. 2585: Mr. GINGREY.
H.R. 2588: Mr. SOUDER.
H.R. 2606: Mrs. CAPPS.
H.R. 2676: Ms. SLAUGHTER.
H.R. 2694: Ms. JACKSON-LEE of Texas.
H.R. 2864: Mr. KENNEDY and Mr. FATTAH.
H.R. 2880: Ms. FOXX, Mr. LEWIS of Kentucky, and Mr. MORAN of Kansas.
H.R. 2915: Mr. CARSON.
H.R. 2923: Mr. FRANK of Massachusetts and Mr. SCALISE.
H.R. 2994: Mr. MCCOTTER.
H.R. 3042: Mr. VAN HOLLEN and Mr. ARCURI.
H.R. 3094: Ms. HIRONO, Mr. WU, Ms. LEE, Mr. MCDERMOTT, Mr. RODRIGUEZ, Mr. HASTINGS of Florida, and Mr. SALAZAR.
H.R. 3107: Mr. SESTAK.
H.R. 3112: Mr. FRANK of Massachusetts, Mr. ROYCE, and Mr. WELDON of Florida.
H.R. 3232: Mr. DOGGETT, Mr. SULLIVAN, and Mr. COSTELLO.
H.R. 3257: Ms. HERSETH SANDLIN.
H.R. 3267: Mr. DAVIS of Illinois, Mr. RAHALL, Mr. KILDEE, Mr. BURGESS, and Mr. LEWIS of Georgia.
H.R. 3291: Mr. SOUDER.
H.R. 3334: Mr. MARKEY and Mr. WITTMAN of Virginia.
H.R. 3374: Mr. SESTAK.
H.R. 3423: Mr. KILDEE.
H.R. 3457: Mr. CHANDLER.
H.R. 3479: Mr. LATOURETTE.
H.R. 3544: Mr. PASTOR.
H.R. 3618: Mr. PRICE of North Carolina.
H.R. 3642: Mr. HOLT and Mr. GEORGE MILLER of California.
H.R. 3750: Mr. LEWIS of Georgia and Mr. KENNEDY.
H.R. 3753: Mr. BUYER.
H.R. 3785: Mr. PAUL.
H.R. 3812: Ms. ESHOO.
H.R. 3820: Mr. CARNAHAN.
H.R. 3865: Mr. SHAYS.
H.R. 3934: Mr. SCOTT of Virginia, Mr. SARBANES, Mr. GERLACH, Mr. BOYD of Florida, and Mr. SHULER.
H.R. 3968: Ms. BALDWIN.
H.R. 4067: Mr. CARSON.
H.R. 4088: Mr. YOUNG of Florida.
H.R. 4105: Mr. KAGEN, Mr. SALAZAR, and Ms. WATERS.
H.R. 4107: Mr. ROTHMAN.
H.R. 4109: Ms. WATERS, Ms. BALDWIN, and Mr. HONDA.
H.R. 4114: Mr. WU.
H.R. 4141: Mr. CARTER and Mr. ANDREWS.
H.R. 4244: Mr. ALLEN.
H.R. 4449: Mr. RANGEL and Mr. DAVIS of Illinois.
H.R. 4544: Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. ANDREWS, and Mr. INSLEE.
H.R. 4836: Mr. CLYBURN.
H.R. 4926: Mrs. CHRISTENSEN and Mr. ALLEN.
H.R. 4936: Mr. STARK.
H.R. 5085: Mr. SOUDER.
H.R. 5139: Mr. SESTAK.
H.R. 5192: Mr. UPTON.
H.R. 5265: Mr. CARSON, Mr. ALTMIRE, and Mr. ROGERS of Kentucky.

H.R. 5268: Mr. SARBANES.
H.R. 5404: Ms. ROS-LEHTINEN, Mr. THOMPSON of California, and Ms. SPEIER.
H.R. 5405: Mr. KUHL of New York.
H.R. 5469: Mr. KILDEE.
H.R. 5534: Mr. BLUMENAUER.
H.R. 5536: Mr. GRIJALVA.
H.R. 5546: Mr. DAVID DAVIS of Tennessee.
H.R. 5573: Mr. KIRK, Mr. RENZI, Mr. ARCURI, Mr. MCINTYRE, Ms. LINDA T. SÁNCHEZ of California, and Mr. CARNAHAN.
H.R. 5580: Ms. WOOLSEY and Mr. MILLER of North Carolina.
H.R. 5606: Mr. DAVIS of Alabama and Mr. PATRICK MURPHY of Pennsylvania.
H.R. 5638: Mr. BUTTERFIELD.
H.R. 5640: Mr. JOHNSON of Georgia.
H.R. 5669: Mr. PAYNE and Mr. DAVIS of Illinois.
H.R. 5673: Mr. PORTER.
H.R. 5684: Mrs. MCMORRIS RODGERS.
H.R. 5734: Mr. CUMMINGS.
H.R. 5737: Mr. HAYES, Mr. LUCAS, Mr. ROGERS of Alabama, and Mrs. MILLER of Michigan.
H.R. 5740: Mr. CHANDLER and Mr. FORTUÑO.
H.R. 5741: Mr. GILCHREST.
H.R. 5747: Mr. PRICE of North Carolina.
H.R. 5748: Mrs. MYRICK.
H.R. 5759: Mr. PLATTS and Mr. STEARNS.
H.R. 5760: Mr. HINOJOSA, Mr. MCHUGH, Ms. ROS-LEHTINEN, and Mrs. CHRISTENSEN.
H.R. 5782: Mr. PLATTS and Mr. DAVIS of Kentucky.
H.R. 5791: Mr. CARSON.
H.R. 5793: Mr. FORBES, Mr. ROSS, Mr. GONZALEZ, Mrs. MCMORRIS RODGERS, and Mr. PICKERING.
H.R. 5797: Mr. HAYES and Mr. SALI.
H.R. 5798: Mr. BISHOP of New York.
H.R. 5814: Mrs. MYRICK and Mr. ROYCE.
H.R. 5821: Mr. ROGERS of Alabama, Mrs. BLACKBURN, Mr. LAHOOD, and Mr. Wamp.
H.R. 5831: Mr. ARCURI.
H.R. 5852: Mr. MOORE of Kansas and Mr. ROTHMAN.
H.R. 5867: Mr. MCDERMOTT.
H.R. 5869: Mr. FARR, Mr. HINOJOSA, and Mr. UDALL of New Mexico.
H.R. 5874: Mr. WAMP, Mr. SMITH of New Jersey, and Mr. BAIRD.
H.R. 5882: Mr. GRIJALVA.
H.R. 5895: Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, and Mr. BRADY of Pennsylvania.
H.R. 5898: Mr. TOM DAVIS of Virginia, Mr. HINOJOSA, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, and Mr. SAXTON.
H.R. 5899: Ms. HERSETH SANDLIN.
H.R. 5901: Mr. RUSH and Mr. GRIJALVA.
H.R. 5908: Mrs. CUBIN.
H.R. 5924: Mr. ANDREWS, Mr. DAVIS of Illinois, Ms. JACKSON-LEE of Texas, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5950: Mr. NADLER and Ms. JACKSON-LEE of Texas.
H.R. 5954: Mr. MICHAUD, Mr. BLUMENAUER, and Mr. BRADY of Pennsylvania.
H.R. 5960: Mr. COSTELLO.
H.R. 5965: Mr. CARSON.
H.R. 5971: Mr. CAMPBELL of California, Mr. BURTON of Indiana, Mr. HOEKSTRA, and Mr. MCCOTTER.
H.R. 5979: Mr. PLATTS.
H.R. 5984: Mr. WITTMAN of Virginia, Mr. INGLIS of South Carolina, Mr. EVERETT, Mrs. CUBIN, Mr. LAHOOD, Mrs. SCHMIDT, Mr. GARRETT of New Jersey, Mr. LEWIS of California, Mr. PEARCE, and Mr. YOUNG of Florida.
H.R. 5992: Mr. FILNER.
H.R. 5998: Mr. MCHUGH, Mr. ROTHMAN, and Ms. SLAUGHTER.
H.R. 6020: Mr. GRIJALVA.
H.R. 6026: Mr. PICKERING, Mr. BUYER, Mr. ROHRABACHER, Mr. CANTOR, Mr. PUTNAM, Mr. AKIN, Mr. CANNON, Ms. FOXX, Mrs. MCMORRIS RODGERS, Mr. MICA, Mr. SOUDER, Mr. TANCREDO, Mr. FERGUSON, Mr. TOM DAVIS of Virginia, Mr. YOUNG of Alaska, Mr. SHADEGG, Mr. MCCOTTER, and Mr. INGLIS of South Carolina.
H.R. 6045: Ms. LORETTA SANCHEZ of California and Mr. ENGLISH of Pennsylvania.
H.R. 6057: Mr. HALL of New York, Ms. SCHAKOWSKY, Ms. LEE, and Mr. DEFAZIO.
H.R. 6073: Mr. BUTTERFIELD and Ms. TSONGAS.
H.R. 6075: Mr. CARNAHAN.
H.R. 6076: Ms. SLAUGHTER, Ms. SUTTON, Ms. CLARKE, Mr. ELLISON, Mr. JOHNSON of Georgia, and Mr. HONDA.
H.R. 6083: Mr. EDWARDS.
H.R. 6092: Ms. SHEA-PORTER, Mr. CALVERT, Mr. HALL of Texas, Mr. FOSSELLA, and Mr. FEENEY.
H.R. 6098: Mr. DICKS, Mr. BRADY of Pennsylvania, Mr. SHAYS, and Mr. BILIRAKIS.
H.R. 6101: Mr. SOUDER and Ms. JACKSON-LEE of Texas.
H.R. 6102: Mr. SOUDER and Ms. JACKSON-LEE of Texas.
H.R. 6105: Mr. SENSENBRENNER.
H.R. 6107: Mr. CULBERSON, Mrs. CUBIN, Mr. GRAVES, Mrs. DRAKE, Mr. KINGSTON, Mr. HERGER, Mr. MANZULLO, Mr. SESSIONS, Mr. WALSH of New York, Mr. WILSON of South Carolina, Mr. PENCE, Mr. SMITH of Texas, Mr. LINDER, Mr. POE, and Mr. BOUSTANY.
H.R. 6108: Mr. BROWN of South Carolina, Mr. FLAKE, Mr. ISSA, Mr. KUHL of New York, and Mr. HERGER.
H.R. 6122: Mr. HINOJOSA and Ms. SUTTON.
H.R. 6126: Ms. ZOE LOFGREN of California.
H.R. 6129: Mr. AL GREEN of Texas.
H.R. 6137: Mr. HERGER.
H.R. 6139: Mr. HERGER.
H.R. 6150: Mr. LATTA.
H.R. 6153: Mr. ORTIZ.
H.J. Res. 79: Mr. OLVER.
H.J. Res. 89: Mr. CHABOT, Mr. GINGREY, Mr. HENSARLING, and Mr. CULBERSON.
H. Con. Res. 70: Mr. DAVIS of Illinois, Ms. DELAURO, Mr. MCGOVERN, and Mr. HONDA.
H. Con. Res. 163: Mr. BOYD of Florida.
H. Con. Res. 195: Mr. SIMPSON, Mr. SULLIVAN, Mr. SHUSTER, Mr. LAHOOD, Mr. UPTON, Mr. BOUSTANY, Mr. BONNER, Mr. TAYLOR, Ms. BEAN, Ms. ROS-LEHTINEN, Mr. STUPAK, Mrs. MYRICK, Mr. GINGREY, Mr. MCCOTTER, Mr. SESSIONS, Mr. LATOURETTE, Mr. HULSHOF, Mr. LOBIONDO, Mr. BUYER, Mr. REGULA, Mr. RAMSTAD, Mr. LINDER, Mr. BROUN of Georgia, Mr. TIM MURPHY of Pennsylvania, and Mr. ENGLISH of Pennsylvania.
H. Con. Res. 239: Mr. SMITH of New Jersey.
H. Con. Res. 321: Mr. BOUCHER and Mr. Carson.
H. Con. Res. 336: Mr. DEAL of Georgia, Mr. MCGOVERN, Mrs. DAVIS of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. CARNEY, Mr. PLATTS, Mr. MORAN of Virginia, Mr. FURTUÑO, and Mr. ROGERS of Michigan.
H. CON. RES. 341: MR. WILSON OF OHIO, MR. GOODE, MR. PRICE OF NORTH CAROLINA, MR. DOYLE, MR. PATRICK MURPHY OF PENNSYLVANIA, MR. ANDREWS, MR. PEARCE, MR. DINGELL, MR. AKIN, AND MS. WASSERMAN SCHULTZ.
H. Con. Res. 342: Mr. THORNBERRY, Ms. GRANGER, Ms. GINNY BROWN-WAITE of Florida, and Mr. HALL of Texas.
H. Con. Res. 349: Mr. ENGLISH of Pennsylvania.
H. Con. Res. 350: Mr. FARR, Mr. POE, Mr. BERMAN, and Mr. LARSON of Connecticut.
H. Con. Res. 360: Mr. BRADY of Pennsylvania.
H. Con. Res. 361: Mrs. MYRICK, Mr. GONZALEZ, Mr. ENGLISH of Pennsylvania, Ms. ROS-LEHTINEN, and Mr. CARSON.
H. Con. Res. 362: Mr. BURTON of Indiana, Mr. KLEIN of Florida, Mr. KIRK, Mr. FORTUÑO, Mr. SHAYS, Mr. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, Mr. BACA, Mr. BRADY of Pennsylvania, Mr. FRANK of Massachusetts, Mr. ROYCE, Mr. WEXLER, Mr. WAXMAN, Mr. ENGEL, Mr. KNOLLENBERG, Mr. CANTOR, Mr. CROWLEY, Mr. ROGERS of Alabama, Mr. MORAN of Kansas, Mr. COSTA, Mrs. MALONEY of New York, Mr. SCOTT of Georgia, and Mr. TOWNS.
H. Con. Res. 364: Mr. BERMAN, Mr. ENGEL, Mr. GUTIERREZ, Mr. GONZALEZ, Ms. SCHAKOWSKY, Mr. FORTUÑO, and Mr. FALEOMAVAEGA.
H. Res. 111: Mr. CASTLE, Mr. LOEBSACK, and Mr. POMEROY.
H. Res. 373: Mr. ANDREWS, Mr. ROTHMAN, and Mr. FRANK of Massachusetts.
H. Res. 415: Mr. FILNER and Mr. SHAYS.
H. Res. 598: Mr. SALI.
H. Res. 648: Mr. KUHL of New York, Ms. BORDALLO, Mr. SESTAK, Mrs. CAPPS,
Ms. JACKSON-LEE of Texas, and Mr. BILBRAY.
H. Res. 672: Ms. SUTTON and Mr. PAYNE.
H. Res. 795: Mr. WAXMAN.
H. Res. 937: Mr. EDWARDS.
H. Res. 977: Mr. BAIRD, Mr. COHEN, Mr. TAYLOR, Mr. DOYLE, Ms. BORDALLO, and Mr. BRADY of Pennsylvania.
H. Res. 1008: Mr. HOLT and Mr. PORTER.
H. Res. 1012: Mr. HARE.
H. Res. 1037: Mr. LEWIS of Georgia.
H. Res. 1042: Mr. TERRY, Mrs. MYRICK, and Mr. WALDEN of Oregon.
H. Res. 1110: Mr. CAMP of Michigan.
H. Res. 1143: Ms. SLAUGHTER, Mr. SHAYS, and Mr. DUNCAN.
H. Res. 1146: Mr. EMANUEL.
H. Res. 1164: Mr. CARSON.
H. Res. 1191: Ms. CORRINE BROWN of Florida, Mr. HINOJOSA, Mrs. JONES of Ohio, Mr. STEARNS, and Ms. ROS-LEHTINEN.
H. Res. 1202: Mr. BUTTERFIELD.
H. Res. 1205: Mrs. DAVIS of California and Ms. SCHAKOWSKY.
H. Res. 1207: Ms. TSONGAS.
H. Res. 1210: Mr. CUELLAR, Mr. PAUL, Mr. MCCAUL of Texas, Mr. SNYDER, Mr. MELANCON, Mr. BARTLETT of Maryland, Mr. BOOZMAN, and Ms. ROYBAL-ALLARD.
H. Res. 1224: Mr. ADERHOLT and Mr. LINCOLN DAVIS of Tennessee.
H. Res. 1225: Mr. HINOJOSA, Mr. ALTMIRE, Mr. PAYNE, Mr. KUCINICH, and Mr. HARE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GEORGE MILLER of California, or a designee, to H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendment to be offered by Representative BISHOP of Utah, or a designee, to H.R. 5540, the Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act, does not contain any congressional earmarks, limited tax benefits or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Gracious God, by Your providence we have been given the gift of this day, and from Your hand our needs are supplied.

Give our lawmakers a reference for Your sovereignty and a faith in Your unfolding providence. May their trust in Your guidance lead them to labor for Your honor. May their first aspiration be to hear You say, ''Well done.'' When they are tempted to doubt, infuse them with Your faith. When they are tempted to fear, strengthen them with Your courage. Keep them from becoming weary in choosing the more difficult right, as they remember that in due season, they will reap a bountiful harvest. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 3, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Senator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, today following my remarks and those of Senator MCCONNELL, there will be a period of morning business until 11 a.m., or when the hour is gone, with the time equally divided and controlled. The Republicans will control the first half—I see Senator CORNYN, ready to begin—the majority will control the second half of morning business. Then we will resume consideration of the motion to proceed to S. 3036, the Climate Security Act. The Senate will recess at 12:30, as we do every Tuesday, for our weekly caucus luncheons, and will reconvene following the official Senate photograph which is scheduled for today at 2:15.

I hope all Senators will make themselves available for the photograph. It takes weeks for the staff to set up to take these pictures. If you look around, you can see in the galleries the lighting. It is very difficult to get the lighting down here to take all 100 Senators. So I hope everyone will be here at 2:15 and be thoughtful and considerate to their colleagues so the staff can get the picture taken as quickly as possible.

FILIBUSTERS

Mr. REID. Mr. President, yesterday there was a vote, as we all knew there would be—an overwhelming vote—to proceed to legislation to stem the tide of global warming. This strong bipartisan vote came only after the Republicans forced us to file cloture and use more of the Senate's valuable time. Another filibuster. This is, as I have said before, filibusters on steroids. We have never, ever, in the history of our great country, had as many filibusters as this Republican minority has initiated. In a short 10 months, the 2-year record for filibusters was broken by this Republican minority. They have stopped or slowed down everything they could. They have even forced us to file cloture on things they agree on. Why? Because it eats up valuable time.

We now have 12 weeks left until our adjournment time. There is so much to do—so much to do. We are interested in doing the people's business. The Republicans are interested in stalling—stalling. As an example, today we should be on this piece of legislation, but, no, they are going to do as they have done time and time again: use 30 hours.

For everyone listening, what does this mean? The rules of the Senate are that once you file cloture—first of all, it takes a couple days to file cloture. You have to let it wait for a couple days. Now, why would they make us file cloture on this bill? It is bipartisan; it is sponsored by Senator WARNER and Senator LIEBERMAN, but they have done this. So after we file cloture, we come in and we have a vote. Remember, we waste those days while cloture is ripening. Then, to make it even more absurd, the rule is that after cloture is invoked, you have 30 hours. They make us use that 30 hours. It is wasted time. There is no reason we can't be on this bill.

I spoke to one of the Republican leaders yesterday, and he said: Well, we want more time to debate the bill. No one is taking any debate time away from anybody. But shouldn't we be on the bill? So I say time runs out tonight, shortly before midnight, on the 30 hours. In the morning, we are going

to be on this bill. That means we are going to have to stay in until midnight tonight. That is up to the Republicans. That is up to the minority. But we are going to start legislating on this bill tomorrow morning. As everyone knows, the rules around here allow me to have the right of recognition, first recognition. We are going to start legislating in the morning.

I am happy if there is a need for more debate on the bill. This is an important bill. We should have all the debate; people should be able to make their statements. I am not trying to disallow anyone from making their statement, but let's at least legislate, as we should in this most serious body, the greatest debating—they say—body in the world, the Senate of the United States.

This strong bipartisan vote came, as I have indicated, after Republicans forced us to file cloture and use 2 days of Senate time, as I have already outlined. It forces us to waste 2 days for a vote they overwhelmingly supported. Now, the Republicans are forcing us to burn, as I have indicated, another 30 hours of procedural time before we can begin debate. That is two filibusters and more than 3 days of valuable Senate time wasted, all for a vote that most Republicans supported. We should have been on the bill, at the very least, last night.

Why would Republicans set these roadblocks to progress? I have outlined why. They are still in a snit because the American people surprised everyone and we are in the majority. It is a slim majority, but we are in the majority. We believe the people's business should be the issue at hand.

I have said many times Republicans have every right to vigorously debate and oppose legislation on which they have disagreements. That is how the legislative process is supposed to work. The majority introduces a bill, the two sides engage in debate and, in many cases, some type of compromise is reached. Legislation is the art of compromise. Then a vote is taken and whoever has the most votes—then we have a winner and a loser. But most of the time, if you are moving forward, there are only winners, there are no losers.

The Republicans have every opportunity to debate this bill in public and negotiate it in private. That is what we would like to do. If there is some way they think this can be compromised, condensed, made bigger, we are willing to work with them. This is a bipartisan bill. It is their legislative right and obligation—I understand that—to convince Senators who are in disagreement to join with them. But the unprecedented Republican filibustering we have seen renders the legislative process difficult—difficult. Seventy-two times, and add to this almost every time we have had to do 30 hours—sometimes twice.

So I think the American people are clearly seeing the picture. The picture is the Republicans are wanting to maintain the status quo. They are treading water until President Bush leaves. The good news for the American people is there are only 7 months of that left. I think it is clear what has happened. You see in Louisiana, you see in Mississippi, you see in Illinois, three heavily Republican House seats went Democratic. Why? Because the American people see what is going on, just as they see that global warming is here. The American people aren't going to get lost in cap and trade. What they are concerned about is emissions, lowering emissions. They know it is a problem. They know what is going on in Congress is a problem. That is why we have seen these special elections go overwhelmingly Democratic in places where the Republicans always used to win.

On this legislation, I say to my friends, let's debate the legislation, let's try to work to pass it. Let's try to move forward on it. Stop running out the clock. Engage in the legislative process so we can continue to work toward making the American dream affordable for our country's struggling families once again.

The price of gasoline during the 7 years and 5 months President Bush has been President has gone up 250 percent—250 percent. In Nevada, you can still find a place to buy gas for less than $4 a gallon, but it is not easy. One of my friends I went to high school with called me—Teddy Sandoval, a wonderful guy. I have known him my whole life. He called me. I thought he was having some personal problem, and he was. Do you know what it was? He said: HARRY, I bought a diesel truck because diesel fuel was so low, and now I can't afford to fill it anymore because diesel has gone way up.

Diesel. I saw over the holiday we just had, the week off we had, in California and Nevada diesel fuel was as much as $4.50 a gallon. My friend told me he had been in New York, and it was $5.15 a gallon for diesel fuel.

So I plead with my Republican friends: Let us move forward on this legislation. I have said I don't want to use this term ''fill the tree,'' but we have to have some recognition from the Republicans that we are going to legislate seriously. Do you remember what happened last time when we said let's have an open amendment process? There was a rush to the floor to try to help JOHN MCCAIN on the flawed piece of legislation he had. Thinking the GI bill of rights is too generous—too generous—they rushed to the floor to support JOHN MCCAIN's flawed GI bill of rights. Now, fortunately, Democrats and Republicans saw it was flawed. It took a lot of procedural time. The Republicans, which was never done—never done previously, rarely done previously—would come with a piece of their legislation and file cloture. That was a prerogative that was left to the majority. That was the way it was around here.

So unless we have some agreement that we are going to legislate appropriately on this bill, then I think we are going to have to step back and see what we can do because it will appear very clearly that the Republicans are not at least willing to engage in that regard and that they are not willing to engage in serious legislation.

There have been 72 Republican filibusters, and we are going up, not down. That is not good for the country. It is not good for the Senate. I don't think it is good for my Republican colleagues.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 11 a.m., 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 of the time.

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

ORDER OF PROCEDURE

Mr. CORNYN. Mr. President, I ask unanimous consent that our 30 minutes be allotted so that there is 15 minutes for me and 15 minutes for the Senator from Ohio following my remarks.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. What is the request, Mr. President?

Mr. CORNYN. Mr. President, I will restate it. Of the 30 minutes of time for the minority, I asked that it be divided between the Senator from Ohio and me.

Mr. REID. So it is my understanding that the Senator from Texas wants an hour of morning business.

Mr. CORNYN. No, sir.

Mr. REID. So it will be 30 minutes for the Democrats and 30 for the Republicans.

Mr. CORNYN. Yes, with our 30 minutes being equally divided between the Senator from Ohio and myself.

Mr. REID. I have no objection.

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

CLIMATE CHANGE

Mr. CORNYN. Mr. President, I heard the distinguished majority leader criticize the Republicans for wanting to have a debate on this piece of legislation. Frankly, I think we would be remiss in our duties if we didn't discuss this important piece of legislation, as complex and difficult a topic as it is and, frankly, ask questions that I know our constituents would ask of us were

we to vote for or against this particular legislation.

I, for one, make no apologies for doing what I consider to be my duty, and I think all of us would do well to ask questions about this legislation, which proposes a $6.7 trillion pricetag—that is trillion; not billion, not million but trillion, $6.7 trillion.

We talk about what Congress has been doing. Let me mention what Congress has not been doing and what the Senate has not been doing.

It has been 109 days since the Foreign Intelligence Surveillance Act was not reauthorized, which has hampered our ability to listen in on terrorist-to-terrorist communications.

We have spent 560 days since American businesses and farmers have been disadvantaged by not taking up the Colombia Free Trade Agreement. For my State alone, it is roughly $2.3 billion a year. But my producers, farmers, and manufacturers are disadvantaged by tariffs on those goods when they are imported into Colombia, even though Colombian goods bear zero tariffs coming into the United States. We ought to fix that.

So it has been 560 days since that condition has existed. It has been 705 days since some judicial nominees have been waiting for a vote. It has been 771 days since Speaker PELOSI went campaigning before the 2006 election and said, if elected, the Democrats would deliver a commonsense solution to the price of gasoline and the pain consumers were feeling at the pump. That was 771 days ago. Yet there has been no proposal by our friends in the majority to actually come up with a commonsense solution to help ease the pain at the pump. Instead, we have a bill which—while I don't question the motivation for the bill since we are all concerned about the environment, I do think it is important that we ask questions about a bill that carries such a high pricetag and which will have the impact of actually increasing the cost of energy—gasoline and electricity—rather than reducing it.

I must say that last week, like all the rest of my colleagues, I went back home and had a chance to visit with a number of my constituents. Of course, high gasoline prices was the No. 1 issue on their minds. Even though my State is doing relatively well compared to the rest of the country, with about a 4.1-percent unemployment rate, we have seen some softening in the housing market, but generally speaking, my State is prospering. We are grateful for that. But even people who have jobs and feel as though they are doing pretty well otherwise are still feeling their paychecks shrink as a result of rising energy costs.

I am wondering why we are now on a piece of legislation that, rather than reducing the cost of their gasoline or electricity, will actually increase it. Right now, the average price of a gallon of gasoline across the country is right at $4 per gallon.

As I talked to my constituents last week around the State, they asked me: What is Congress going to do to finally take action to lower those prices?

Well, unfortunately, I had to tell them we only got 42 votes on a provision on a bill—the Domenici amendment—which would actually have increased our use of American energy and reduced our dependency on imported oil from some of our enemies, such as Hugo Chavez from Venezuela and Ahmed Amadi Nejad from Iran, which are part of OPEC.

By our inaction in Congress, we are driving up that cost because, since 1982, we have been putting vast American reserves of energy out of bounds through a moratorium that was enacted on the Outer Continental Shelf, through our unwillingness to explore and develop oil shale in the West and our unwillingness to allow the State of Alaska to develop its own energy reserves in the Arctic National Wildlife Refuge. So it is easy for me to understand, seeing that disconnect between what my constituents are concerned about—high prices of energy, including gasoline—having to come back and debate a bill that will drive up those costs even further—it is easy to see why more and more people believe Congress is totally disconnected from reality. Congress appears to have very little relevance to the issue that concerns the American people the most, and that is the family budget.

I want to be clear about one matter though. The debate about our environment is one well worth having. Of course, we can all do better and should do better in being good stewards of the environment, conserving energy and reducing waste. Reducing dependency on foreign oil and bringing down prices at the pump are needed too. My fear is that this important issue is rapidly becoming just another tired political game.

Taking care of the environment is not a Republican versus Democrat issue. It should not be about partisan politics. Haven't we learned by now that the American people are fed up with the games in Washington and want real solutions?

Well, yesterday, the majority leader and the chairman of the Environment and Public Works Committee, Senator BOXER, were criticizing the fact that we wanted to use some of the time today to ask questions about this important legislation so that we could educate ourselves and our constituents about what is in this very complex piece of legislation. But I do have some questions I hope will be answered in this week's debate.

First of all, how much will this bill cost? I have read estimates that this bill's pricetag is somewhere in the $6.7 trillion range. I fear that if that is correct, this is simply too costly of a burden to put on the American people. This is especially true when I believe more cost-effective solutions are available. I think we should balk at any piece of legislation that carries a pricetag of $6.7 trillion. Perhaps I have not been in Congress long enough to be jaded by such talk, and I hope I never am, but I still have trouble grasping the enormity of a number like $1 trillion. Now we are talking about $6.7 trillion. People in Congress tend to toss those numbers around like it is pocket change. But this is real money coming out of the budgets of real people—the American people.

I would like to know why $6.7 trillion, and what is that money going to be spent for?

Why do we have to opt for a cost in that range when there are more cost-effective solutions available, such as tax credits for developing renewable energy, clean energy, like solar energy and wind energy? Why aren't we doing more to develop our nuclear energy capacity to create electricity, which is carbon free? Why aren't we doing that instead of spending $6.7 trillion?

I want to know what the impact of this legislation would be on our economy and on the family budget. Already we have seen—as a result of the inaction of Congress over this last 771 days, since our Democratic colleagues said they had a commonsense plan to reduce the price of gasoline at the pump—the average American family lose $1,400 in increased gasoline costs as a result of the rise in gasoline prices over that same period of time.

Now, some estimates are that Texas families—my constituents—would pay an additional $8,000 if we pass this piece of legislation. That includes, some estimates say, a 145-percent increase in electricity costs and a 147-percent increase in gasoline costs. That is at least $5.30 a gallon at a time when gasoline is $3.98 a gallon.

Is it really true the proponents of this legislation want to raise that to $5.30 a gallon? It seems to me we are going in the wrong direction, not the right direction.

At the same time, it is estimated this legislation, if passed, would actually cause more than 300,000 Texans to lose their jobs. Overall, estimates indicate this bill could cost the economy in my State—one of the States that is actually doing very well from an economic point of view—more than $50 billion in additional costs.

Mr. President, we cannot afford another wet blanket on our economy caused by higher taxes and more expenses coming out of the family budget and more pressure on our job creators that provide people an opportunity to put food on the table.

Another question I have is, if the United States of America decides to impose this costly burden on ourselves, will China and India likewise impose the same burden on their energy industry? Of course, booming industrial giants such as China and India both have 1 billion-plus people. We know we are increasingly in a global competition and not only with India and China but the entire planet.

Why in the world would we impose a costly piece of legislation in the amount of $6.7 trillion on the American people and raise electricity costs and gasoline costs and depress the gross domestic product of this country, putting people out of work, if our major global competitors are going to get off scot-free and not likewise constrain their economy by imposing these sorts of burdens on themselves?

Finally, Mr. President, I would like to know on what basis do the proponents of the legislation believe this bill will have its intended effect? If human beings contribute to climate change, which I will not debate—I assume we do in some way or another—why have these targets been proposed? What is the science to justify those? What if those targets are reached, albeit at a cost of $6.7 trillion, with rising gas and electricity costs and a depression effect on our gross domestic product? How do we know, and where is the science that says, this bill will actually have its intended effect, particularly if China and India, our global competitors, don't participate?

The Wall Street Journal has dubbed this legislation ''the most extensive Government reorganization of the American economy since the 1930s.'' It seems to me this is something we should debate and examine and we should ask questions about so that we will know what the effect of this bill will be if it is passed.

We have already seen that Congress is not exactly omniscient when it comes to the energy area, where we have subsidized corn-based ethanol as an alternative to renewable sources of energy. The fact is, we found there are unintended consequences when we use food for fuel.

How do we know this particular bill, the Boxer climate tax bill, will not have unintended consequences? I fear it may not have the intended effect of reducing carbon emissions, and it may have some of the unintended and disastrous side effects I have already outlined.

If we are certain this is the right approach to protecting the environment, where is the evidence? Yesterday, the distinguished chairman of the Environment and Public Works Committee, and today the majority leader, complained about the fact that we want to use some time today to ask these questions and get answers. We should not be asked nor should the American people be asked to accept this on faith: Don't worry, trust us. It reminds me of the most fearsome words in the English language: We are from the Government, and we are here to help. If that is true, the American people ought to see the evidence that will justify this huge expenditure of their money, the huge increase in prices of energy, and the depressing effect on the economy, why that is necessary, and whether it will actually work as intended. Where is the evidence?

Senator BOXER, the distinguished chairman of the Environment and Public Works Committee, said the rising cost would not be a problem because of tax offsets she has included in this bill. She assured us this bill contained almost $1 trillion of tax relief, so that if we do see some of the increases in energy costs in the early years—electricity, for example—we can offset that. It almost boggles the imagination that the primary author of this legislation, Senator BOXER, would essentially concede that there will be rising energy costs as a result of this legislation and say we ought to spend $1 trillion more of the taxpayers' money to provide offsets for relief. This huge, complex bill deserves all the scrutiny we can give it.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I would like to say, first of all, that I share some of the great concerns of my colleague from Texas.

Today, I rise to address the legislative proposal introduced by Senators LIEBERMAN and WARNER to address global climate change. Like many of my colleagues, I share the urgency to take proactive steps to address this challenge we have.

That said, I have serious reservations about the proposal. I think it is overly aggressive, vastly outpacing what technology can provide and thus ensuring enormous economic pain on the country, and it is overly bureaucratic and cumbersome in its implementation, representing an unprecedented expansion of Government power and a massive bureaucratic intrusion into American lives that will have a profound effect on businesses, communities, and families.

The EPA has stated in answer to a letter I sent them that this program will take between 300 and 400 people to implement, whereas the acid rain provision takes just under 30.

The major failure of this legislation is it fails to harmonize our country's economic energy and environmental objectives, and the consequences to American interests could be devastating.

The international aspect of this problem is particularly troublesome. The developing world is currently undertaking an intensive expansion of energy infrastructure and escalating industrial and commercial expansion to meet the demands of growing domestic and international markets. The developing nations' combined emissions shortly will exceed the developed nations' combined emissions.

In 2007, ''[t]he International Energy Agency issued a . . . report projecting global energy demand would increase by more than one-half by 2030, and that 'Developing countries . . . contribute 74 percent of the increase in global primary energy use . . . China and India alone account for 45 percent of that increase.' ''

China puts on line two coal-fired plants every week—two coal-fired plants every week. In June, the Netherlands Environmental Assessment Agency announced that China's 2006 CO_2 emissions surpassed those of the United States by 8 percent. With this, China tops the list of CO_2-emitting countries for the first time and, by the way, years ahead of the projections that were made a couple of years ago.

Much like China, those countries with large domestic reserves of coal—and that includes the United States—will continue to use it. It is unrealistic to assume that the world would turn its back on this abundant resource. We must take this reality into account, and this can be done by jump-starting the technology that is needed to produce the energy we need in an environmentally sound manner.

Recognizing the international dynamic of this problem, the Lieberman-Warner proposal attempts to impose a tariff-like requirement to hold carbon credits for goods entering the United States from countries that do not control their emissions. The U.S. Trade Representative has questioned the plan's efficacy, and China, Mexico, and Brazil have signaled that the policy could begin a trade war. Indeed, top officials from the European Union and the United Nations have also raised doubts about whether the U.S. trade penalties would harm the prospects of a new global warming agreement.

But even if the provision is WTO compliant, it will not address the underlying competitiveness issues the United States would face from the higher fuel, feedstock, and electricity prices the bill would impose on U.S. manufacturers.

A better approach is needed. Americans are already struggling with the increase in their cost of living due to higher prices for gasoline, home heating fuel, electricity, food, and health care, and this bill would only make things worse. I wish some of the sponsors would go back into their respective constituencies to hear the complaints from most people—middle-class people, poor, the retirees—whose standard of living is being reduced in the country today because of these costs.

We cannot tolerate policies that harm our economy and drive businesses overseas. If those businesses locate in countries that do not share our environmental objectives, then we are worse off on two counts: Fewer jobs in the United States and no benefits at all to the environment.

Over my strenuous objections, this bill was voted out of the Environment and Public Works Committee without an analysis of the economic impacts on the country from either the EPA or the Energy Information Office. Today, we have at least a dozen analyses of the bill from a wide variety of groups, and they are all about the same.

EPA's analysis predicts that by 2030, annual losses in gross domestic product could be as high as $983 billion, and by 2050, those losses would grow to $2.8 trillion. To put this into perspective,

CBO projects the Federal budget for this year will be $2.9 trillion. That means the potential impact losses from this legislation in 2050 would equal that spent on everything we intend to spend this year from Social Security to national defense. Think about it.

In order to meet the caps of the bill, the analysis assumes aggressive growth in nuclear and other clean energy technologies at rates that are widely regarded as unachievable and, from my perspective, unbelievable. For example, they predict a 150-percent increase in nuclear power by 2050. Today, there are 104 operating plants, meaning that we have to build up to another 150 new plants by 2050. The Energy Information Office said, when they did the analysis, that we would have to build 220 of them by 2030 in order for these caps to be realistic. These assumptions are unrealistic and mask the true cost of implementing the bill.

In regard to nuclear power, I recently published a paper in the Nuclear News on the steps we need to take to launch a nuclear renaissance. I am going to make certain that each Member receives a copy of this paper. But bringing vast amounts of new nuclear power on line will not be a layup shot. For example, there is only one company and one plant in the world that makes the vessels and forges for plants. Recently, we anticipated new plants would cost about $5 billion. The new cost is $7 billion per copy. Today, we have pending at the Nuclear Regulatory Commission 9 applications for 15 new plants that, if constructed, would not come on line until 2015, 2016, and 2017. Honestly, we are going to be lucky to have 30 new nuclear powerplants by 2030.

In regard to what we call capture carbon and sequestration—the technology that is needed—no commercial experience or testing at scale has been done. DOE says it will take 10 years before the seven large-scale demonstration tests are complete to look at sequestration. DOE said that a more robust geological assessment will not be complete until 2015. Liability and critical infrastructure issues remain unanswered, and DOE says commercial CCS may not be available for 20 years.

The connection between the costs of the program and the availability of clean energy technology is clear. As EIA points out:

The . . . timing of the development, commercialization, and deployment of low-emissions electricity generating technologies such as nuclear power, coal with CCS, and dispatchable renewable power is a major detriment of the energy and economic impacts of 2191.

I want to repeat that.

The . . . timing of the development, commercialization, and deployment of low-emissions electricity generating technologies such as nuclear power, coal with [carbon capture sequestration], and dispatchable renewable power is a major detriment of the energy and economic impacts of 2191.

The Cleveland Plain Dealer, which is the largest newspaper in the State of Ohio, this Sunday editorialized on this bill. The title is ''This carbon bill isn't the answer.'' It goes on to say:

The bill, as conceived, will just bore new holes into an already battered economy. . . .

Coal-dependent states with partially deregulated energy prices—Ohio, for instance—would take a double hit in economic dislocations and electricity price spikes, with barely any financial cushions to make the disruptions more palatable. The bill also lacks the kind of consumer fairness and flexibility necessary to avoid fuel-price shocks and damage to manufacturing nationwide.

I ask unanimous consent to have this editorial printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Plain Dealer, June 1, 2008]

THIS CARBON BILL ISN'T THE ANSWER

The latest version of a bill that would mandate a carbon emissions cap-and-trade system for utilities and others using high-carbon coal is due to come before the full U.S. Senate on Monday. It could be voted on before the end of the week.

To judge from the intensity of lobbying, you'd think it was a proposal to make it easier to exit Iraq, corral oil prices, revive the economy, spur renewable energy investments and end unemployment.

You'd be wrong on all counts.

The bill, as conceived, will just bore new holes into an already battered economy.

It also doesn't have a prayer of becoming law. There is no companion legislation in the House, and President Bush threatens a veto if one materializes.

Neither of Ohio's senators has said he supports it, and the big push by environmentalists to try to swing one of those likely nays—the one belonging to freshman Democrat Sherrod Brown—is all about symbolism over substance. In failing to compromise on issues of regional equity repeatedly highlighted by Ohio's other senator, George Voinovich, the bill's supporters evince crass disregard for the economic realities of hard-hit manufacturing states.

Neither Brown nor Voinovich denies the need to reduce carbon emissions and address global warming.

That need is increasingly urgent, given recent findings by scientists within the formerly skeptical Bush administration on how accelerating climate change is beginning to impact Americans' well-being.

Yet the hammer-and-tong approach of the Senate bill—originally sponsored by Democrat Joe Lieberman of Connecticut and Republican John Warner of Virginia and recently tweaked by Democrat Barbara Boxer of California—lacks even a semblance of balance.

Coal-dependent states with partially deregulated energy prices—Ohio, for instance—would take a double hit in economic dislocations and electricity price spikes, with barely any financial cushions to make the disruptions more palatable. The bill also lacks the kind of consumer fairness and flexibility necessary to avoid fuel-price shocks and damage to manufacturing nationwide.

Those who have watched the Europeans' cap-and-trade system deteriorate into a nightmare of bureaucratic costs, nonsensical investments in outdated factories in China and puzzling price spikes in which the utilities were the only clear winners can be excused for scratching their heads over why cap-and-trade remains the ''only'' idea worth pursuing.

Surely there are less cumbersome, more equitable ways of making carbon emissions more expensive, and thus spurring investment in new technologies, without breaking the banks of both small-town and industries Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent to have printed in the RECORD the paper I have written on the nuclear renaissance.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Nuclear News, March 2008]

MAKING THE NUCLEAR RENAISSANCE A REALITY

(By George V. Voinovich)

In September, for the first time in over 30 years, a license application to build a new nuclear power plant was filed with the Nuclear Regulatory Commission. Three more applications soon followed. The NRC expects to receive 18 more applications within the next two years for a total of more than 30 new reactors. Although no applicant has yet made a firm commitment to build, a number of them have made significant investments, such as ordering long-lead construction items. Internationally, the resurgence seems to be moving at a faster pace. According to the International Atomic Energy Agency, there are 34 reactors in various stages of construction in 14 countries.

The underlying political climate for nuclear power has changed over the past several years, influenced by a confluence of factors: the growing demand for electricity, sharp increases in the prices of natural gas and oil, and the increased emphasis on clean energy. Recent government policies, such as the Energy Policy Act of 2005, have certainly helped in stimulating private sector investment for new nuclear as part of a portfolio of ''environmentally clean'' energy projects. At the state level, legislation has passed or is being considered in Georgia, Iowa, Wisconsin, Florida, Virginia, Kansas, South Carolina, and Texas recognizing the value of a diverse energy portfolio that includes new nuclear plants. These factors have created an environment in which nuclear has once again emerged as a viable (perhaps one of only a few) energy source for baseload generating capacity.

Currently, 50 percent of our electricity comes from coal, 19 percent from nuclear, 19 percent from natural gas, 9 percent from renewable sources such as hydro, solar, and wind, and 3 percent from oil. Of these, coal and nuclear (with average capacity factor of about 90 percent) have been the backbone of baseload generating capacity, since they are capable of providing a steady flow of power to the grid at low cost and high efficiency. Solar and wind power plants produce electricity only when conditions are right; when the sun sets or the wind calms, their output drops, regardless of the demand for electricity. Natural gas power plants are too expensive to run as baseload plants due to volatility in natural gas prices.

According to the Energy Information Agency, U.S. electricity consumption is projected to grow from 3821 billion kilowatt-hours in 2005 to 5478 billion kilowatt-hours by 2030, an increase of more than 43 percent. To be sure, we must have greater efficiency, more demand-side management, and more renewable energy, but we must also have clean coal and nuclear generating capacity to sustain our $11-trillion-a-year economy. With increasing environmental constraints, particularly the desire for caps on carbon emissions, expanding nuclear's share of baseload seems logical. The 104 nuclear power plants operating today represent over 70 percent of the nation's emission-free generation portfolio, avoiding 681 million metric tons of CO_2, compared with 13.1 million tons for wind and 0.5 million tons for solar.

So it is no accident that there is a growing realization among environmentalists, scientists, the media, think tanks, and policymakers that nuclear power must play an important role in harmonizing the country's need for energy independence, economic competitiveness, and a healthy environment. Sen. Barbara Boxer (D., Calif.), chairwoman of the Environment and Public Works Committee, recently stated: ''I am a pragmatist. The vast majority of the members on my committee support nuclear power, and so do the majority in the Senate. . . . I don't think there is any question that we are going to be seeing new plants.'' Patrick Moore, one of the founders of Greenpeace, also caused a stir last year when he declared that ''nuclear energy is the only large-scale, cost-effective energy source that can reduce emissions while continuing to satisfy a growing demand for power . . . and these days it can do so safety.'' They have come to a similar conclusion: If we are to meet the growing electricity needs in this country and also address global climate change, nuclear power has a crucial role to play.

Despite these positive developments, a number of formidable challenges to realizing a nuclear renaissance remain, particularly in the areas of regulatory uncertainty, financing, availability of human capital, expansion of the domestic supply chain infrastructure, and nuclear waste management. I intend to take steps, together with other stakeholders, to turn these challenges into opportunities. My hope is that these steps will serve as a road map to making the nuclear renaissance a reality.

REGULATORY UNCERTAINTY

Processing 22 or more new plant license applications concurrently on schedule in a thorough manner will be a monumental challenge for the NRC, which has not seen this type of major licensing action in the past 25 years or so. That is why as chairman of the Senate Environment and Public Works Committee's Subcommittee on Clean Air and Nuclear Safety between 2003 and 2006, and now as ranking member, I have focused a great deal of time and effort on making sure that the NRC is gearing up to meet this challenge and avoid a bottleneck. My management philosophy since my days as mayor of Cleveland and governor of Ohio hasn't changed: Place the right people to run the agencies and departments, provide them with the resource and tools necessary to do their jobs effectively and efficiently, and then hold them accountable for results.

Together with Sen. Tom Carper (D., Del.) and Sen. Jim Inhofe (R., Okla.), I introduced a number of bills—the Nuclear Fees Reauthorization Act of 2005 (S. 858), the Nuclear Safety and Security Act of 2005 (S. 864), and the Price-Anderson Amendments Act of 2005 (S. 865)—to provide the NRC with what it needs in terms of legislative reforms, human capital, and other resources to do its job effectively and efficiently. These pieces of legislation were enacted into law as part of the Energy Policy Act of 2005. Among other things, these bills authorized the NRC to take innovative steps to attract both young talent and retired experts to address the agency's anticipated shortages in technical capabilities.

The NRC's licensing process has been completely overhauled. All regulatory approvals are now received up front based on a completed plant design, before construction starts and significant capital is placed at risk. Under the old process, repeated construction delays and massive cost overruns were common as applicants struggled to stay ahead of evolving regulatory requirements and design changes. The old process required two separate permits—one to begin construction of the plant, and one to operate it—allowing multiple opportunities for delay. Some multibillion-dollar facilities stood idle for years while licensing proceedings ground slowly to completion. The new process requires only a single combined construction and operating license (COL) for both functions. There are opportunities for public participation in the new process, but most of those occur before construction begins, when such participation is most productive.

While the new licensing process is a significant improvement over the old process, a level of healthy skepticism remains by virtue of the fact that the new process has not yet been tested. Given the complexities involved, it is perfectly reasonable to expect some wrinkles during the NRC's review of the first few applications under the new process. In my view, the level of success and certainty in the process will depend in large part on the discipline with which the process is implemented by both the NRC and the applicants.

Finally, and perhaps most important, the composition and the stability of the commission will be more critical than ever before. Senator Carper and I will work with the administration and the Senate leadership to ensure that future appointees have a balanced and objective view regarding nuclear power and its role in harmonizing the country's need for energy independence, economic competitiveness, and a healthy environment.

FINANCING

The nuclear industry's major financing challenge is the cost of new baseload nuclear power plants relative to the size of the companies that must make those investments. Unregulated generating companies and regulated integrated utilities represent different business models, and those differences influence how these companies approach nuclear plant financing. Regulated companies expect to finance nuclear plants in the same way they finance all major capital projects, with state regulatory approval and reasonable assurance of investment recovery through approved rate charges. These companies must know—before construction begins—that their investment in a new nuclear plant is judged prudent and can be recovered. Unregulated companies rely on debt financing with a highly leveraged capital structure. Since the estimated cost of a new nuclear plant ($5 billion to $6 billion) is a significant fraction of the company's assets, it is in effect a bet-the-company decision.

To help overcome these obstacles, the Energy Policy Act of 2005 provides key incentives for investments in new nuclear plants: a production tax credit of $18 per megawatthour for the first 6000 megawatts of new nuclear capacity; regulatory risk insurance against delays in commercial operation caused by licensing or litigation for up to $500 million for the first two plants and $250 million for the next four; and loan guarantees up to 80 percent of the cost of projects, such as nuclear plants, that reduce emissions. While the production tax credit certainly improves the financial attractiveness of a project during its commercial operation, and regulatory risk insurance provides a safety net in case of regulatory delays, it is the loan guarantee provision that makes the difference for unregulated companies in deciding whether or not to build. Properly implemented, this loan guarantee program allows unregulated companies building nuclear plants to employ a more leveraged capital structure at reduced financing costs, which then benefits consumers through lower rates for the price of electricity.

I have worked hard to make the loan guarantee program perform as Congress intended in the Energy Policy Act of 2005—that is, to attract sufficient private capital at low cost. In addition to meeting with key administration officials, including then Office of Management and Budget Director Rob Portman and Energy Secretary Sam Bodman, in 2007. I introduced the Voinovich-Carper-Inhofe Amendment (SA–1575) to the Energy Bill (H.R. 6) to allow loan guarantees of 100 percent of the loan amount for capital-intensive projects such as nuclear and clean coal, provided that the borrower pays for the loan subsidy costs. Although this amendment did not make it into the final version of the Energy Bill, the administration recently issued a final rule that in effect adopts the intent of the Voinovich-Carper-Inhofe amendment.

I have also been working with the Senate appropriators to increase the fiscal year 2008 cap on the aggregated value of the guaranteed loans. On June 15, together with Senators Carper and Inhofe, I sent a letter to the appropriators urging them to increase the cap from $9 billion (as called for in the president's budget) to an amount sufficient to cover all qualified and worthy energy projects, including new nuclear, clean coal, renewable energy, and energy efficiency projects. The appropriators responded by increasing the cap to $38.5 billion, with $18.5 billion for new nuclear, $6 billion for clean coal-based power generation and gasification plants that incorporate carbon capture and sequestration, $2 billion for advanced coal gasification, $10 billion for renewable energy, and $2 billion for a uranium enrichment facility.

Another critical factor for the successful implementation of the loan guarantee program is a transparent methodology for calculating the credit subsidy cost to be paid by project sponsors. Such costs should be reasonable and commercially viable. I will continue to work with my Senate colleagues and the administration to make sure the loan guarantee program is working the way it is intended to work. The need for government-sponsored investment incentives should be only temporary. Once it is shown that new plants can be built to schedule and budget, the sector will take care of itself. I don't want to create a ward of the state, but rather to overcome initial hurdles and nurture a sector that makes economic and policy sense on its own.

HUMAN CAPITAL AND JOB OPPORTUNITIES

Senator Carper and I recently held a nuclear energy roundtable with representatives from organized labor, industry, academia, professional societies, and government agencies. The roundtable was very productive as it raised an awareness of the impending shortage of the skilled workers needed to support the nuclear renaissance. Government, industry, and labor efforts in the development of a skilled workforce must be coordinated in order to align with anticipated investment in new plants. Each new nuclear plant will require 1400–1800 workers during construction, with peak employment of as many as 2300 workers. Skilled tradesmen in welding, pipefitting, masonry, carpentry, sheet metal, and heavy equipment operations—among others—all stand to benefit. If the industry were to construct the 30 reactors that are currently projected, 43,400 to 55,800 workers would be required during construction, with peak employment of up to 71,300 workers. Everyone at the roundtable agreed that the construction of more than 30 new reactors over the next 15 to 20 years could present an enormous challenge for the nuclear industry.

The roundtable resulted in a number of recommendations to turn this challenge into an opportunity, including the following: (1) use recent retirees as instructors, mentors,

and advisors; (2) provide more flexibility to a younger generation of workers; (3) invest in building a pipeline of future workers by front-loading recruitment and training—the philosophy of ''just-in-time'' inventory does not work with human capital; (4) identify all existing public and private-sector training programs, and then leverage and fund those that are successful (e.g., Helmets to Hardhats and the Building Construction Trade Department's training program); and (5) provide adequate and consistent funding in science and technology for universities and colleges.

Successful follow-through on these suggestions requires a collaborative effort from the federal and state governments, industry, organized labor, and academia. Congress has demonstrated leadership in addressing some of these workforce challenges. The recently enacted America Competes Act establishes a solid policy framework for addressing the science, technology, engineering, and math workforce challenges identified in the National Academies' report, Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future. Sen. Jeff Bingaman (D., N.M.) and I fought to restore federal funding to support nuclear science and engineering programs at universities across the country in FY 2007 and FY 2008.

Senator Carper and I are planning a follow-up roundtable in mid-2008 to align investment and workforce development initiatives to ensure the collaboration and coordination of government, industry, and labor efforts in developing the energy-related skilled work force, and to solicit input on legislative support.

EXPANDING THE DOMESTIC MANUFACTURING BASE

In the three decades since the last nuclear plant was ordered and the two decades since the bulk of the nuclear plant construction was completed in the United States, the nuclear design, manufacturing, and construction industry has significantly declined. The leading U.S. firms have either ceased operation, consolidated, or become subsidiaries of non—U.S. parent companies. The companies that remain have survived by retrofitting and maintaining existing U.S. plants.

Initially, it will not be possible to manufacture all of the major plant components required of new nuclear plants in the United States. Successfully bringing the planned 30 or more new nuclear reactors on line, however, requires the reestablishment of the construction and component supply industries, as well as the supplier network needed to support those industries—from the steam generators and reactor vessel heads to the thousands of valves, pumps, heat exchangers, and other parts used in a nuclear plant. The potential for growth in the manufacturing sector and manufacturing jobs to support the construction of 30 new nuclear plants is staggering.

I am a strong advocate for government policies that encourage private-sector investment in the manufacturing of various components and pieces of equipment for the energy sector. This includes the nuclear industry, as well as other energy technologies the nation will need, such as carbon capture and sequestration. The United States has long been a leader in innovation and advanced manufacturing. We need to promote policies that take advantage of the growth of our energy sector and of American ingenuity, productivity, and entrepreneurship by encouraging the manufacturing industries that will support future energy development to produce their products in the United States.

I introduced the Voinovich-Carper-Inhofe Amendment (SA–1683) to the Energy Bill (H.R. 6) to make American-manufactured nuclear components, parts, and service-related jobs available to foreign markets. The support of our House colleagues—Chairman John Dingell (D., Mich.) and Ranking Member Joe Barton (R., Tex.) of the House Energy and Commerce Committee—was instrumental in getting this piece of legislation passed and signed into law. This legislation is anticipated to spur growth in U.S. manufacturing for new international commercial nuclear power plants, create highly skilled jobs across the United States, and provide American companies and workers access to foreign markets that have long been dominated by foreign competitors.

MANAGING NUCLEAR WASTE

The U.S. high-level radioactive waste management program under the Department of Energy has faced several challenges for many years. First, a redirection of the program has occurred with every change in administration. Second, a majority of the Nuclear Waste Fund revenues are consistently applied to support congressional budgetary priorities rather than their intended purposes. Third, the annual appropriations process provides for ongoing opportunities for those opposed to the direction of the program to interfere with its success.

At the time the Nuclear Waste Policy Act was signed into law in 1982, the direct disposal of spent fuel as a national policy was established on the premise that the existing fleet of nuclear plants would operate only through their initial 40-year license and then be retired, with no new plants being built. This was during the post-Three Mile Island accident era, when nearly 100 planned nuclear plants were canceled. Today, the story is vastly different, with most nuclear plants likely to extend their operating lives to at least 60 years. Also, there may be as many as 30 new nuclear power plants planned in the next 15 to 20 years.

I held a subcommittee hearing in September 2006 to examine both short- and long-term options for the nuclear waste issue. One of the options discussed was a program to determine whether the reprocessing of spent nuclear fuel should be adopted in some form, rather than the current policy of direct disposal. Through reprocessing, uranium and plutonium recovered from spent fuel can be recycled into new fuel. Reprocessing also serves to significantly reduce the volume of material requiring geologic disposal. Reprocessing technology has been used on a commercial scale for many years in a number of countries. The renewed interest in an expanded role for nuclear power in the climate change debate further emphasizes the importance of reexamining U.S. policies related to the nuclear fuel cycle. I believe we should not remain solely fixated on a waste solution that was designed for a different day.

Another idea presented at the hearing involves long-term interim storage perhaps complementing a spent fuel recycling program. While permanent disposal at Yucca Mountain or a similar facility remains a long-term imperative, the combination of short-term on-site storage and longer-term interim storage of spent fuel gives us time to complete the technology development needed to safely and securely recycle spent nuclear fuel.

Senator Carper and I plan to hold a roundtable to solicit input from various stakeholders to help us develop a legislative proposal with the following objectives in mind: (1) implement an accountable and sustainable governance structure to execute the federal government's responsibilities under the Nuclear Waste Policy Act; (2) enable the investigation of recycling spent nuclear fuel with appropriate consideration of safety, nuclear proliferation, environmental, energy supply, and economic factors; and (3) ensure that the fees paid into the Nuclear Waste Fund are applied for their intended purpose—i.e., the disposal of radioactive wastes produced by the generation of electricity from nuclear power—in a manner insulated from political influences.

I believe that the safe and secure growth of nuclear energy is essential if we are to harmonize the country's need for energy independence, economic competitiveness, and a healthy environment. Nuclear power is growing in the world, and our own energy needs can serve as a springboard to rebuild U.S. technology and manufacturing capabilities to something approaching the leadership the nation once enjoyed, contributing to foreign markets as well as supporting our own. I intend to work with my colleagues in the Senate to build bipartisan support and leadership for making the nuclear renaissance a reality.

Mr. VOINOVICH. Mr. President, while coal and manufacturing States pay their neighbors and the Government to stay in business, the bill establishes trillions of dollars in new entitlements, earmarks—earmarks—with money flowing to over 30 new Government spending programs, constituting, as the Wall Street Journal recently pointed out, one of the largest tax-and-spend bills in the Nation's history.

Based on EPA's analysis, this bill would raise over $6 trillion from the allowance auction from owners and operators of utilities and factories that have to purchase allowances to stay in business. But the cost of purchasing these allowances would be passed on to consumers as higher prices, which will, as the CBO points out, amount to a regressive tax hitting low- and middle-income working families. In my State, they predict that by 2012, the cost of electricity will go up 50 percent, the cost of natural gas 80 percent, and the cost of gasoline will go up 30 percent. Some of my constituents say: How can the cost of gasoline go up? I point out to them that we have refineries that refine oil. With this bill, they are going to have to buy allowances, and those allowances will increase the cost of your gasoline 30 percent. Did you hear that? A 30-percent increase in gasoline costs as a result of this legislation. Give me a break.

Despite the severe economic damage Lieberman-Warner would impose on the U.S. economy, the policy would do little to address global climate change. EPA's—this is not some conservative group out there—analysis indicates the policy will reduce global concentrations of CO_2 less than 5 percent by 2095.

Addressing climate change will require a technology revolution centered on the way we produce and use energy. The theory behind Lieberman-Warner is that the more painful it is on business, the faster CO_2 reductions will occur. I believe the solution to this problem lies in our ability to increase access to clean energy. Instead of using the power of the Government to increase energy cost, we should use it to decrease barriers to investments and clean energy solutions.

The United States took a lot of flak from countries for our not signing Kyoto, but I am pleased the Bush administration has been moving forward with some new initiatives. And while we didn't sign Kyoto, we do have a base of international activities to build on, and one of them could provide the basis for becoming a multinational effort, giving all countries a vested interest in technology advancement and deployment.

The thing we have to remember is that, above all, the developing world desires sustained economic growth. Slowing down economic development to address climate change is not an option they are willing to pursue, and we cannot force it upon them. If we are going to be successful in addressing the challenge of climate change, we have to set a realistic vision for the developing world, using what Richard Armitage and Joseph Nye referred to as smart power. When they testified before the Senate Foreign Relations Committee on April 24, 2008, they argued that the world:

> . . . looks to the U.S. to put forward better ideas rather than just walk away from the table.

This was the perception after Kyoto, and it could be the perception again today if we do not find a way to engage the developing world.

They go on to say:

> The United States needs to rediscover how to be a smart power, which matches vision with execution and accountability, and looks broadly at U.S. goals, strategies, and influence in a changing world.

And they rightly conclude that our:

> . . . challenges can only be addressed with capable and willing allies and partners.

Without willing partners in China and India, we cannot be successful in addressing climate change. Technologies development and promotion should drive our national climate policy. It is the only rational path forward. It is the only way to deal with emissions from rapidly expanding coal-based economies such as China and India, that readily admit they have no intention of accepting binding emission targets.

The public interest and private sector communities agree that the crucial factor that will determine whether we have an effective climate policy is the extent that policy will encourage the development and deployment of needed technology. Regulation without sufficiently available technology will result in high cost for American consumers while offering little hope that developing nations will answer the call to reduce their emissions.

In conclusion, I agree that we need to act quickly to address climate change, but we must be smart about how we proceed. I am hoping after this year's debate, we can come together—come together—on a bipartisan basis, to draft a bill that doesn't impose unilateral actions that hurt our economy and drive jobs overseas but rather jumpstarts technology, engages our international partners through collaborative multinational efforts to develop and deploy the clean energy technologies that everyone recognizes are necessary to solve this global environmental problem.

I appreciate the Chair giving me an extra minute.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Florida.

HIGH COST OF ENERGY

Mr. NELSON of Florida. Mr. President, I wanted Sara Sanders to come over here and be on the floor while I am speaking, because this photograph is of her hometown, Madison, FL, in Madison County, which is in north Florida. If you examine this photograph of downtown Madison, here is the old courthouse, and across U.S. 90 is this Shell gasoline station.

This photograph is from a couple of days ago, and you can see that regular is $4.09.9 a gallon, and premium is $4.33.9 a gallon. This is certainly a record for Florida, and it is especially a record for the rural parts of Florida, which Madison County, part of north Florida, is a part of.

Last week, when we were in recess, I did 18 townhall meetings all over the State of Florida, and I can tell you our people are hurting. They are hurting because they are having difficulty making financial ends meet. Our people are hurting and are having difficulty making their paycheck go far enough. Our people, particularly those who have to drive long distances and don't have any alternative of mass transit to get to work, are having difficulty being able to afford getting to work. That is symbolized by this photograph of a couple of days ago in Madison, FL—$4.10 for a gallon of regular gas.

Where is it going to go? Well, I wish to have you look at this particular chart. Now, this indicates to us what has happened to the price of gas over the last 8 years. In January of 2001, the price of gas was at $1.47. Seven and one-half years later, the price at the end of May was $3.94 a gallon. This is a national average. As that photograph reflected, it has exceeded, even in rural parts of America, $4 a gallon.

It rocked along here at less than $1.50 for a couple of years. Then, in 2003, it jumped above $1.50 and started to gradually climb. Then, in 2005, it spiked up right after Katrina. As a matter of fact, overnight, when Katrina hit, it went from about $2.65 to up over $3. It gyrated back and forth, exceeding that $3 limit, and look what has happened in the last month or 2 months. It has gone from less than $3 a gallon all the way up to $4 a gallon.

There is something that is going on, and people are sick and tired because they are frustrated they can't afford this. By the way, Florida is a microcosm of America. A lot of America has moved to Florida and, therefore, when you look at a representative sampling of this country, our State is a microcosm. And having been all over the State for all of these townhall meetings this past week, I can tell you that people's frustrations are turning to anger. They do not know what to do, but they want their Government to act.

Now, what do we do? Well, I must say it is very interesting that we hear coming from parts of the energy sector the same old story: We have to drill more. If you could drill more and you could get it to market immediately, that would certainly bring some relief. But when that is said, the full story isn't told. Because when the oil companies say they want to drill more, and that supply and demand will take care of the problem, what they fail to say—and they fail purposely to say this—is that there are 33 million acres under lease that are submerged lands—33 million acres—of which they haven't drilled. It is there. They have not drilled.

Of course, a side issue here is the constant pressure to come in and drill off of our coast, off of the east coast of the United States and off of the west coast. But there are 33 million acres under lease, submerged, that are already available. Plus, there are another 34 million acres that are either owned or leased on lands that have not been drilled. Now, you don't hear that, but that is a fact. Of those 33 million acres that are submerged, and that are under lease and ready to be drilled, or to go through the process of leasing, they ignore the fact that we worked out a compromise 2 or 3 years ago where we would add an additional 8.3 million acres of submerged lands in the Gulf of Mexico that could be leased. We kept that away from the military training area, which is most of the Gulf of Mexico off of the State of Florida.

All that submerged land is there for drilling, but of course we hear the same old refrain from over the years: Well, let's drill. Let's drill our way out of the problem. The fact is that is a red herring to get us off of the ultimate solution to this problem. The answer is not just drill, the answer is alternative energy sources.

Now, let me put it another way. The United States has only 3 percent of the world's oil reserves, but the United States consumes 25 percent of the world's oil production. If you only have 3 percent of the world's oil reserves but you are consuming every day 25 percent of the world's oil production, doesn't that suggest to you that you can't drill your way out of the problem; that you ought to be looking to different solutions?

I am going to suggest a few. But first I want to go back in history. What has happened in America? First, we had a wake-up call. Remember, it was back in the early 1970s. The OPEC cartel was formed and they decided to have an oil embargo, and so the price of oil jumped per barrel something like from the $2 or $3 a barrel price to suddenly $10 and

a little more, and the long gas lines occurred. There was world oil panic and we vowed we were going to do something about it. As a matter of fact, the President of the United States at the time said, We are going to make ourselves energy independent.

Well, here we are, 3½ decades later, and it is not the United States that is energy independent, it is Brazil that is energy independent. In those early 1970s, after that scare, when we vowed we were going to do something about it, we went back to sleep. Then in the late 1970s, we had another wake-up call. This wake-up call was the Iranian hostage crisis. Remember how the oil markets got jittery and we started having the long lines at the gas stations again, and we said, We are going to do something about this energy independence on foreign oil? Then what happened? We collectively, as a nation, went back to sleep.

Cheap oil was part of the problem. It seduced us, even though that cheap oil was continuing to get a little more expensive. So, then, we get up to the end of the decade of the 1980s and Saddam Hussein suddenly moves on Kuwait and takes over another country and their oil fields. We had another crisis and oil spikes again. The Nation was in an energy crisis. Our foreign oil supplies were being threatened, and we make another vow that we are going to do something about it. And what happens? We allow ourselves to be lulled by the sweet dulcet tones of being reliant on a cheap energy source, even though it was getting higher and higher, and we go back to sleep.

Then we turn the century. Suddenly, we have September 11. Then we have Afghanistan. Then we have the Iraq war. All of those oil supplies in that region of the world are threatened and, suddenly, everyone is getting jittery. At the same time, China is emerging as an industrial power, and so is India. They are demanding more and more of the world's oil supplies and the supplies are getting tighter and tighter and the price starts going up and up. Still, on the Senate floor with my colleague, the senior Senator from California, as I have assisted her for the last 8 years, each year trying to increase miles per gallon in the fleet average of our automobiles, we are not able to get the votes to pass it. We allow ourselves to be lulled and lulled back to sleep.

Finally, because of the way this gas price spiked after Katrina to over $3, finally we were able to marshal the political will so that we could change the miles per gallon, a modest change, to 35 miles per gallon from 25 miles per gallon—although that 25-miles-per-gallon standard set in the 1980s was illusory because light trucks and SUVs were exempt. We were able to get to a new standard to include all and a fleet average of 35 miles per gallon—but it would not be fully phased in, over the period of the next 12 years, until the date of 2020.

Before I offer some additional solutions, why has oil, as measured in gas prices, gone, in just a few months, from $3 a gallon to over $4 a gallon?

Is the President indicating that I do not have any further time, Mr. President? Is the Presiding Officer indicating I do not have any further time?

The ACTING PRESIDENT pro tempore. No. The Senator has spoken for 15 minutes. I was consulting with the Parliamentarian to see if there were limits. There were none.

Mr. NELSON of Florida. That was my understanding. Mr. President, does the Senator from California want to speak?

Mrs. FEINSTEIN. Through the Chair to the Senator from Florida, I am the first speaker on the global warming bill. Do what you need to do. I thank the Senator.

Mr. NELSON of Florida. I am having a good time doing it, too. I will wrap up within the next 5 or so minutes.

Why, then, other than what we have already talked about—the tightness of the world's oil market—why, in just the last couple of months, has it spiked from $3 a gallon to over $4 a gallon? Why, in Madison, FL, a rural part of Florida, 2 days ago, was regular gas at $4.10?

Part of that reason, of course, is what we have talked about, the world tightness. Part of it is that the United States relies on oil from foreign shores for 60 percent of its daily consumption of oil from places such as the Persian Gulf and Nigeria and Venezuela—the Persian Gulf, roughly 20 percent of our oil supply; Nigeria, 12 percent of our daily supply; Venezuela, 14 percent of our daily supply. I have just mentioned three very unstable parts of the world. That is part of the skittishness of this world oil market. But there have to be additional reasons.

How about the weakness of the dollar? You know what we could do about that? Here is a solution. We could start bringing our budget back into balance instead of going out where spending is here but revenues are only here and the difference each year we have to borrow. Guess whom we are borrowing from—China and Japan. They are buying our debt in order for us to meet our expenditures. If we bring that budget back into balance, we can start strengthening our dollar, which will help us in this overall global market of oil since oil is sold in U.S. dollars.

But I think the biggest part of this spike is that we have world oil markets that are buying futures contracts, and the speculators are speculating up the price as they bid up the price, and they are not having to put down a substantial amount of money. They are only putting down about 6 percent of the total oil contract, so 94 percent they are basically getting on future credit, and that means they can bid up that price.

The question is, Are we going to get in and start checking out these commodities exchanges? Are we going to get a Commodity Futures Trading Commission that will crack the whip, that will examine this speculation driving up the price?

We passed a part 2 weeks ago in the farm bill that is now law that will close that Enron loophole that occurred in the year 2000, that exempted Enron and others from oversight in the trading markets for energy. That certainly has allowed that speculation to go on. We got a little victory there, on the Commodity Futures Trading Commission.

The bottom line is, if we are going to solve this problem we have to have the political will. This Senator will be speaking about the Lieberman-Warner bill later on, but there is all kinds of inflammatory rhetoric about how this is going to jack up the price of gasoline and of oil.

But the fundamental problem is we have to have the political will to start going to alternative sources in order to break the stranglehold of dependence on oil and particularly foreign oil. That means we are going to have to go to alternative sources such as biofuels. We are going to have to pour the money into research and development on cellulosic ethanol. Ethanol, of course, we can mix in our existing cars with gasoline, and that yields much less consumption of oil.

In the new vehicles, the new cars, you can take 85 percent of ethanol and mix it with 15 percent of gasoline. Just think how much less is the use of oil. Or you put all of that mixture—85 ethanol, 15 gasoline—into a hybrid, and what about a plug-in hybrid? Suddenly you have expanded your equivalent miles per gallon of oil consumed to upwards of several hundreds of miles. We have the technology to do this. The question is, Do we have the political will? That is what I bring us back around to.

There is a lot of inflammatory rhetoric about how, if you try this new thing or you try that new thing—don't do it. Go back on the old, reliable oil. I have seen frustration grow into anger out there as I faced my constituents and tried to give them hope this past week in those 18 townhall meetings. They need hope. We need to help provide that hope.

The next President of the United States needs to help provide that hope. I want to be a part of that solution, to provide that hope. This Senator is going to continue to speak out against those voices that would say: No, no, just do it the same old way.

It is time for change. It is time for bold ideas. It is time for research and development. It is time to take the competitive genius of America, this Yankee ingenuity, our ability to create, our ability in our technological prowess—it is time to utilize all of those assets and to break through to a new beginning.

I yield the floor.

The ACTING PRESIDENT pro tempore. There is 7 minutes remaining in

morning business. The Senator from California.

Mrs. FEINSTEIN. If I may, it is my understanding there is an agreement that I would be the first speaker on global warming. I have about 21 minutes. I could use 7 of them now. If the Senator from Oklahoma—I see him on the Senate floor—if he would prefer some time in morning business, I am prepared to yield to him, and then if I could be recognized as soon as we go to the bill?

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. I think we are working on a unanimous consent request right now. Why don't you go ahead and use the remaining time in morning business, and then you will be the first speaker to use the remaining of that 21 minutes or whatever you want, and that 14 minutes will come out of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I am going to yield back the morning business time so we can go to the bill and I will be able to speak without interruption.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Without objection, morning business is closed.

CLIMATE SECURITY ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 3036, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S. 3036, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent the order of speakers after morning business, prior to the recess for caucus luncheons, be as follows: Senator FEINSTEIN for up to 20 minutes, ISAKSON for up to 15 minutes, CORKER for up to 20 minutes, SPECTER for up to 15 minutes; KERRY for up to 20 minutes.

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

Mrs. FEINSTEIN. Mr. President, I rise today to speak in favor of the climate change legislation sponsored by Senators JOE LIEBERMAN and JOHN WARNER and the managers' substitute amendment offered by my friend and colleague, Senator BARBARA BOXER.

I congratulate all three of them. This is not an easy road. I want particularly to thank the chairman of the committee for her work. She has been open, she has been consultative, she has asked to meet with Members, she has asked for Members' participation in the work. She has been both strong and solid in her leadership.

After years of debating about the science underlying the warming of our planet, today marks a momentous step because for the first time we are considering comprehensive legislation to address global warming in a comprehensive manner. I believe the time has come for the Senate to pass legislation to tackle this problem.

The bill represents the most comprehensive opportunity we have in this Congress to help curb our carbon footprint and take meaningful action to prevent catastrophic climate change—and nobody should disbelieve that is coming. The fact is this: Global warming is happening. It has already begun to inflict changes on the world as we know it. If you read the newspapers, if you watch television, or if you simply take a look around, it is undeniable. Just look at weather patterns. More destructive and deadly storms, such as the cyclone that hit Burma and the tornadoes that have devastated parts of the Midwest, are happening. Species are beginning to disappear. The Fish and Wildlife Service has just announced that the polar bear has been placed on the endangered species list because of global warming.

Its habitat is literally melting away. Polar icecaps are melting. The Northwest Passage was navigable for the first time last summer. The Arctic Circle could be ice free by 2030. The West is running out of water. Scientists at UC San Diego believe there is a 50–50 chance that Lake Mead, a key source of water for 8 million people in the Southwestern United States, will be dry by 2021, if the climate changes, as expected, and its use is not curtailed. Projections suggest that both Antarctica and Greenland could melt at the same time. If that were to happen, the seas would rise by 20 feet. So we are feeling the effects of warmer weather. Five out of the past 5 years and 19 out of the last 20 have been the warmest on record.

The Western United States is receiving the brunt of warming. This is because the West's average temperature is 70 percent greater than the planet as a whole. So the Earth's temperature has warmed 1 degree over the past century, but it has warmed 1.7 degrees in the 11–State Western region, and it is only getting warmer. Take a look at this map.

Here is why. Carbon dioxide doesn't dissipate in the atmosphere. It remains for 30, 40, 50, 100 years. The atmosphere is a shell around the Earth, and carbon dioxide has been growing since the Industrial Revolution in this atmosphere. So the question becomes, how much will the Earth warm? This very question is at the heart of why we need climate change legislation, because scientists tell us we can make a difference to impact how much the Earth will warm. We can't stop warming, but we can slow it down. But if we are to do even that, we have to act soon and decisively. I truly don't believe there is a minute to waste.

To stabilize the climate and to prevent catastrophic warming, scientists say we need to begin by reducing emissions by 65 to 80 percent below 1990 levels—that is 65 to 80 percent below what we have put into the atmosphere in 1990—and do all this by the middle of the century. That translates into a goal of 1,450 parts per million of carbon dioxide in the atmosphere. Vice President Al Gore told me recently there is some new science out that we actually may need to limit carbon emissions to 350 parts per million, which is even stronger. There is new science out that shows the Earth is warming even faster than was originally predicted. We need to contain the warming to 1 to 2 degrees. We will still experience significant but manageable changes, but if we fail to act, the Earth's temperature could rise 5 to 9 degrees or more. Those results are catastrophic and irreversible.

I tell constituent breakfasts about the Earth. Most people believe the Earth can't change. But, in fact, planets do change. Look at Mars, look at the Earth 250 million years ago, when there was one mass on Earth only. The Earth is subject to change. That change can be dramatic, and warming affects that change. This is a gamble we cannot afford to take. The truth is, though, there is no silver bullet. There is no one thing that will turn the tide. We need to go clean and green in driving, in heating, in cooling, in building, and fueling. We need to move away from fossil fuels. We need the Lieberman-Warner legislation.

By 2050, this bill would reduce emissions by 63 percent below 2005 levels or 57 percent below 1990 levels. So the legislation sets us on the path toward meaningful greenhouse gas reductions. It does so in a way that encourages innovation and makes the investment in cleaner energy and green practices across the entire economy. Importantly, it also includes important provisions to keep our economy strong. The bottom line: This legislation is a major step in the right direction. It is the most significant thing we can do right now to help prevent catastrophic climate change.

Let me take a few moments to talk about what the bill does. There are two ways to deal with this. One is a carbon tax. Most scientists want the carbon tax, but most people believe a new tax is not going to happen. The other alternative is a cap-and-trade system, much as Europe has been doing and much as the Northeastern States have been doing to deal with acid rain. They have reversed acid rain by 45 percent through their cap-and-trade system. This legislation establishes a cap-and-trade system for roughly 86 percent of the economy. It includes the electricity sector, manufacturing, transportation, and natural gas. It would be

the world's most comprehensive effort to address global warming to date. It controls emissions in more sectors of our economy than Europe's carbon control program. It would restore American leadership in the fight to protect our planet.

Here is how it works. In 2012, emissions are capped at 2005 levels. They begin to ratchet down 2 percent per year. By 2020, emissions would be 19 percent below current levels. By 2050, emissions would be cut to approximately 63 percent below 2005 levels by 2050, or 57 percent below 1990 levels. That is the cap part. The trade part of the bill allows for the trading of allowances, which are permits to release 1 metric ton of carbon dioxide into the atmosphere. It is a proven system. It is working well right now in the United States to control acid rain and smog pollution. It has given companies flexibility to innovate and embrace new technologies.

Under the bill, the pollution permits are allocated in a way that transitions our economy toward a low-carbon future. In the early years, one-third of the allowances will be allocated to polluting industries covered by the bill to assist with their transition to less carbon-intensive technologies. So one-third goes to those who pollute to help them convert. Revenue produced by selling allowances at auction will be used to invest in low-carbon technology development and deployment.

The bill funds carbon capture and sequestration, renewable energy, and other low-carbon technologies for producing electricity. That is a good thing. It funds efforts to retool car factories, to produce more efficient vehicles and ventures to develop cellulosic biofuels, two steps essential to reducing vehicle emissions. It funds efforts to increase the efficiency of buildings, homes, appliances, and it rewards States that produce significant emission reductions.

In later years, this bill refocuses its assistance toward worker training and financial relief for consumers. It is a good bill. It assists those in coastal and arid States who will have to adapt to sea level rise and rainfall loss. So it makes our world better off, but it also helps those who may have to shoulder an undue burden.

Here is the bottom line: This cap-and-trade bill significantly reduces emissions. It funds new technologies. It deploys existing low-cost options. It contains costs. It mitigates negative impacts. It effectively combats climate change, while protecting our quality of life.

I wish to take a few moments to talk in detail about some of the key provisions of the bill that are of particular note. First, the legislation includes language to establish Federal oversight for the new carbon market. This is something I learned, as a Californian in the Western energy crisis, that we need to do. A $100 billion market for the trading of carbon emissions is going to spring up as this cap-and-trade system is established. We need to be prepared. Just as there are those who manipulate the price of oil and the price of gas—and we in California found that out to the tune of $40 billion—this new market could attract Enron-like manipulation, fraud or excessive speculation, unless we take preventive action. This month Congress finally passed legislation in the farm bill to close the Enron loophole to protect electronic energy markets. It took us 6 years after the Western energy crisis to achieve that. It is time to learn from these mistakes. We need to take steps now to ensure that the market functions with transparency, as well as antifraud and antimanipulation provisions from the get-go.

Specifically, this legislation requires the President to establish an interagency working group, the carbon market working group. It is made up of the heads of the following agencies: the EPA, the Federal Energy Regulatory Commission, the Commodities Futures Trading Commission, the Securities and Exchange Commission, and the Treasury Department. Within 270 days of enactment of the bill, the working group would establish the regulatory framework for the market and recommend necessary regulations that ensure enforcement of core market oversight principles. These principles would include ensuring market transparency in price, volume, and other trading data—all of it made available to the public—requirements for record-keeping, an audit trail which, up to this point, doesn't exist on the electronic marketplace—but thanks to the Enron loophole closure bill, it will exist—and finally, preventing fraud, manipulation, and excessive speculation.

I was pleased to hear the Commodities Futures Trading Commission is now taking a look at excessive speculation in the oil market as a reason for the drive up of prices of gasoline. I will bet anything there is excessive speculation in that market today. These regulations would be fully enforceable by existing market oversight agencies, and violators would be subject to significant penalties. So it is critical we protect these markets from the outset. We cannot afford to delay.

Secondly, the bill promotes green practices for farmers and foresters. This is something I am very interested in. California is the largest ag State. The legislation includes language I authored to fund research on innovative and cost-effective methods for farmers and foresters to store carbon in the soil.

It is believed that farming and forestry practices to sequester carbon in the soil hold great potential to reduce our carbon footprint, and this is particularly true in my State. But the fact is, we do not yet know enough about the best ways to carry out carbon sequestration.

So this legislation would help shed light on a number of practices farmers and foresters can take to sequester carbon. The research would be funded through allowances for agriculture in the cap-and-trade system established by the Lieberman-Warner legislation. Some of these practices could include several methods popular in my State, including row crop practices such as conservation tillage—this is a picture of it—permanent crop practices, including planting cover crops during the winter season, and using prunings for bioenergy production rather than chipping, mulching, or burning the material, and practices to reduce the digestion-related emissions of methane gas from cattle and livestock. Once we understand which of these innovative methods is the most cost effective, farmers could then sell low-cost offset credits to companies that need to reduce their emissions. So this is a win-win.

Third, this bill promotes low-carbon fuels through a low-carbon fuels standard. Similar to the Clean Fuels and Vehicles Act, which Senator SNOWE and I introduced last year, this would require each major oil company selling gasoline in the United States to reduce the average life-cycle greenhouse gas emissions per unit of energy in their gasoline. The provision ensures that the car and truck emissions go down as we increase the use of low-carbon renewable fuel, such as cellulosic ethanol. By improving the renewable fuel standard, which requires the use of 36 billion gallons of renewable fuel by 2020, it assures that the climate benefits of this provision are realized.

My conclusion and my bottom line: Confronting global warming will require action on a broad scale. To those in this body who are dissenters, I say this: If we do not do it, when the science has coalesced, when the science tells us the time is limited, when the science tells us we cannot stop it because it does not dissipate—we must move away from carbon, and we must move to other kinds of fuels, and do so quickly, and we must take these steps to aid the conversion of American industry. Also, most important, this bill will signal that the United States, after a long period of doing nothing, is prepared to stand up tall and to lead.

I thank Senator WARNER and Senator LIEBERMAN for this legislation. I know the senior Senator from Virginia is on the floor. I know he is going to retire at the end of the year. I want him to know very personally from me how much I respect him.

I respect your leadership on this issue, Senator WARNER. I think it leaves you a great legacy. I only hope we will do justice to you by passing this legislation here today. So thank you so much for your leadership.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, if I might just speak for 2 minutes.

I thank my colleague from California. I say to her, it has been a pleasure to work with you and to continue

to work with you in the Senate. Our primary responsibilities are on the Intelligence Committee, but you are a very diversified Senator and can seize many subjects and provide your expertise for the benefit of this Chamber. I thank you for your thoughtful, personal remarks and your very informative speech given this morning.

Mrs. FEINSTEIN. Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that I be able to speak for up to 15 minutes.

The ACTING PRESIDENT pro tempore. That order has already been entered.

Mr. ISAKSON. Mr. President, I wish to commend the Senate for assessing what is the most important issue confronting the United States of America today; that is, energy, its contribution to the environment, its costs, its availability, its future, and its impact on the economy.

I rise today to thank a number of people who have contributed to the body of knowledge I want to try to recite as best I can today: Michael Quiello, Caroline McLean, and Duncan Hill of my staff; Annie Caputo of the staff of the EPW; and three individuals back in Georgia, two alive today, one, unfortunately, who is deceased: Carl Knobloch, a distinguished man in our State of Georgia, who is probably the most ardent advocate for open and green space and the preservation of our environment of any one I know; Mr. Chris Sawyer, who is a distinguished lawyer, who represents many national organizations and many conservation organizations; and Mr. Bob Shearer. Bob passed away last year, but in the 1970s he had led the Georgia Power Company during the time it built the Plant Vogtle, a nuclear energy plant in Georgia that today provides affordable, reasonable, reliable, and inexpensive energy without emitting any carbon into the atmosphere.

Mr. President, I could not agree more with Senator FEINSTEIN's remark that it is time for us to put all of the issues and all of the solutions on the table. It is time for us to talk about everything we need to do to improve our environment, make energy more affordable, and protect our economy.

I think it is ironic that the legislation that will be before us is a piece of legislation that leaves out two subjects that are critical to being accomplished in what the bill portends. First, it basically leaves out any provisions for nuclear energy or the expansion of electricity through nuclear power. Second, it gives no attention to the single way we know to sequester carbon today. It talks about carbon sequestration in a prospective way but does not talk about the single way we sequester carbon today, which happens to be through Mother Nature.

So for just a second I wish to talk about nuclear power, and I wish to talk about conservation and open and green space. Both are included in two amendments that at some point in time in the debate I hope to be able to offer.

First nuclear—and Senator WARNER was kind enough to share with me an amendment he plans to offer on nuclear, which is a recitation of a number of facts that ironically I am going to recite in my remarks—and I commend him for doing that—the most important of which is that today in America, 73 percent of the noncarbon-emitting energy generated in this country is generated by nuclear. That 73 percent saves 700 million metric tons of carbon from going into the atmosphere.

You would think if you already know you are saving 700 million metric tons of carbon from going into the atmosphere and you know that 73 percent of your noncarbon-emitting energy is coming from nuclear, it would seem that if you want to reduce carbon emissions and carbon in the atmosphere, you would empower nuclear energy.

I think we should do that because regardless of your philosophy on global warming and climate change, carbon is making a difference, and it is in our geopolitical interest and it is in our environment's interest to reduce carbon—geopolitically because we buy less from Chavez, Ahmadinejad, and Putin, where we get a majority of our oil today. That is the geopolitical issue, and that is good for us to do. Environmentally, they are not exactly sure at Greenland what all is happening, but they are sure the carbon isotopes and the ice borings are much higher today than they were 30 years ago, and that is the one change.

So it is important to reduce carbon. But to leave out the single way we know to do it best, to leave out the empowerment of nuclear energy, to talk about it only in terms of reference and not in terms of action is, to me, disappointing.

The amendment I will offer—which I offered in committee—does a number of things.

First of all, it provides incentives for nuclear energy in terms of a 10-percent investment tax credit for the production of a new nuclear powerplant. By the way, solar tax credits today are 30 percent. This is one-third of the tax credit for solar. But 10 percent is a good incentive, and these plants are huge investments. That is No. 1.

Second is accelerated depreciation or recovery of investment over 5 years. That is appropriate.

Third, loan guarantees—loan guarantees and standby help—for an industry that in the 1970s, when Government stalled it and investment dollars went away, absolutely almost went bankrupt trying to continue to build the plants that today emit carbon-free energy in the United States of America.

Those three provisions—the standby loan guarantee, the investment tax credit of 10 percent, and the 30 percent in terms of depreciation and the 5-year depreciation recovery—make perfectly good sense, incentivize nuclear, and reduce the emission of carbon into the atmosphere.

I have a chart I will put up. It is very interesting on these subsidies, by the way. There are a lot of antinuclear people who talk about how the Government should not subsidize nuclear. Well, we subsidize almost every form of energy. Today in America, $24.34 of every megawatt hour produced by solar is a tax incentive, a Federal subsidy. On wind, $23.37 is a Federal subsidy on every megawatt hour. For nuclear, it is $1.59. That is the level of subsidy. Ten times or really twelve times the nuclear subsidy is what you pay for solar and wind, which give you 27 percent of your carbon-free electric energy, while nuclear gives you 73 percent.

The bill also deals with empowering the workforce. When we evacuated nuclear energy generation in the 1970s, something else evacuated in America, and that was the construction of nuclear equipment, and that includes all the employees the industry would need in a revitalized industry. So we focus on that and talk about trying to bring that back to the United States of America and to empower our workforce so we can build safe, reliable nuclear energy plants in the 21st century.

I have a number of quotes from the following members, in public debate, when we debated this nuclear amendment in the EPW Committee. Senator LAUTENBERG, Senator BAUCUS, Senator CARDIN, Senator CARPER, Senator WARNER, and Senator LIEBERMAN all made comments endorsing and embracing the fact that nuclear is a part of the solution. I would ask today, if it is a part of the solution, why is it not a part of the Lieberman-Warner climate change bill?

On conservation, for just a second. Carbon sequestration is something we need to perfect, and we do not know how to do it yet. We think we can find some caverns in the earth and we can sequester it there, but we are not quite sure. The technology is not there yet, nor is the cost, but we hope we can do it. But Mother Nature has been sequestering carbon for all time because that is the way the balance in our environment works. That is one of the issues.

So I have an amendment to propose which is a conservation easement tax credit amendment to incentivize the United States of America over the next 5 years through $25 billion in refundable tax credits to generate a fund to buy conservation easements in open and green space throughout the United States of America.

Since the founding of our country, 15 percent of our forest and open space and green space is gone forever to an impervious surface known as urban development. If that continues, then our own natural carbon sequestration system will be broken. So it is important, while we still have the open and green space, while we know where our wetlands are, where our rivers and waterways are, where our important ecosystem lands are, that we create a

mechanism for those lands to be protected, but not one where the Government goes and buys it—it costs you a lot of money to buy all this land—instead, to have a program where you create refundable tax credits, very much like the low- and moderate-income housing tax credits, $5 billion a year for 5 years, to be sold in the market, to raise the money for which you, in turn, allow 501(c)-qualified organizations, like the Trust for Public Land, the Conservancy, et cetera, the capital to go to out and, according to a statewide plan, buy conservation easements to protect in perpetuity those areas critical to our ecosystem and our country and, in fact, our environment.

It would seem to me that when you debate the most topical issue of the day, the most controversial issue of the day—the thing everybody wants to talk about—if you know there is only one way to sequester carbon, and that is through the natural process of nature—and protecting open and green space does that—and you know the only major supplier of carbon-free energy is nuclear, that you would make an investment in this act by seeing to it that you empower the future of the country to focus on conservation and nuclear and all the other sources available.

I am a Republican. I am not one who likes to throw partisanship out in any debate. I think you ought to win something on merit. But I think we and our party and the Democrats and their party need to look at this issue in a different perspective. A lot of us have our biases. It is time to put our biases aside. If there is a known solution out there where we can reduce carbon, expand our energy availability, and reduce costs, we ought to embrace it. Nothing should be off the table. Solar shouldn't, wind shouldn't, nuclear shouldn't, renewable shouldn't, biodiesel shouldn't; whatever it is, synthetic fuels, we should act now, and we should act boldly to see to it that while we work for the best interests of our environment, we work for the best interests of our citizens.

Our citizens today are paying more for gas and energy than they have ever paid before, and there is no end in sight. We have a debate today that if this bill passed in its form, it would raise that cost even more; by some estimates, $1.50 a gallon more. We are talking about serious business here. We need to be serious as Members of the Senate, as Members of the most deliberative body in the world, and make sure every option is on the table. For this Senator, that means expanding conservation easements for better sequestration of carbon naturally, and it means by reempowering the nuclear energy business to see to it that the one source of reliable, safe, carbonless energy that we know today in the United States is empowered for the 21st century.

Mr. President, I yield back the remainder of my time.

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

Mr. WARNER. Mr. President, I wish to commend our distinguished colleague from Georgia. I listened very carefully, and I appreciate his reference to the fact that I will be offering at the earliest possible time an amendment to lay some foundation in this proposed legislation addressing nuclear power.

As I listened to what the Senator from Georgia said, I basically agree. But as the Senator well knows, if we were to have included these provisions, either during the course of the committee markup or indeed now in the amendment process, we would get blue-slipped. This type of legislation, which I support, I say to the Senator, must originate—as he well knows having served—in the House of Representatives and then come to the Senate.

So as colleagues follow this and say to themselves: This Senator brings forth very constructive proposals, why didn't the managers put that in the bill, I think you would have to agree with me we would be faced with a blue-slip problem and our bill would come to a dead halt.

Mr. ISAKSON. Mr. President, I appreciate the distinguished Senator's—may I address the distinguished Senator through the Chair?

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

Mr. ISAKSON. Mr. President, I appreciate the generous comments of the Senator from Virginia and the work he has put into this, and I would publicly acknowledge that in the committee and privately. The Senator has stated eloquently to me his support for the concept of expanding and empowering nuclear energy.

I also understand what our block is: the blue slip. I referred in my closing remarks: We have to start putting our biases aside to allow the full debate to take place on what we are going to do to lower energy costs and reduce carbon. If we talk about nuclear being good but aren't willing to address it and somebody is going to blue-slip or put a hold or kill a bill simply because it has nuclear in it, then we are not serious, in my judgment, about reducing the cost of energy, reducing the amount of carbon or dealing with the problem ahead. I am not speaking to the distinguished Senator from Virginia because I know where his head and his heart are, and Senator LIEBERMAN has expressed the same thing. But there are others—there are biases on both sides. We need to put our biases away and allow every viable alternative to be debated on the floor of the Senate and voted on. Up until the time we do that, we are wasting our time and, unfortunately, we are wasting a lot of our taxpayers' money who are paying exorbitant prices for the problem today.

Mrs. BOXER. Will the Senator yield?

Mr. ISAKSON. I am delighted to yield.

Mrs. BOXER. Mr. President, I wonder if the Senator knows that Exelon has given its support to this bill and also NRG and they are coal and nuclear and Exelon is nuclear. So I wonder if my friend understands that Senator WARNER is going to do an amendment, as he has said from day one, and I am sure you will help him with that amendment. The amendment probably has a very excellent chance of passing.

I wish to make sure my friend knows companies that build nuclear powerplants endorse this bill without any changes, although there are going to be more changes. Under some of the modeling, I wonder if my friend has looked at what the projections are for building nuclear powerplants without one amendment on this bill. Does my friend know the answer to my question? Has he looked at some of the modeling that we have gotten from this administration on this point?

Mr. ISAKSON. Mr. President, I thank the distinguished chairman. I am aware some of the companies that are in the nuclear business have endorsed this, and let me say this—and if I stand to be corrected, I would appreciate the Senator correcting me. But those who are heavily invested in nuclear that are operating today are in support of this because they are going to sell their carbon credits to those who are not heavily invested in nuclear and are generating coal. That motivation is a motivation that is economic as much as anything else.

What I would like to see is for us to get everybody on a level playing field, where we have more nuclear and we have less coal and we have less gas and we have less oil-generating electricity. Then we will be better off. So this is a winners and losers game in terms of the carbon tax or the carbon credits. Those who have a low-carbon footprint are going to have credits to sell and those who have a high-carbon footprint who use coal or oil are going to have to pay a lot of money to buy it. That is why there are some biases in these industries that are for and against.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mrs. BOXER. Mr. President, if I might ask unanimous consent for 5 minutes so the three of us can engage because I think this is a very important point.

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

Mrs. BOXER. First of all, I think for my friend to say these two companies have no future plans to build powerplants or expand the plants, that makes no sense. I haven't read their annual report, but for him to say the only reason is because they are going to make some money off the allowances—I don't think he is looking at the plans for these companies, No. 1, but they can speak for themselves.

The second part, which my friend didn't answer, is that in the modeling we have seen, without one amendment, it looks as if there will be built, over the period of the lifetime of this bill, 150 nuclear plants. So without one amendment—and there are going to be amendments—and I have never been a great fan of nuclear energy. For one reason, I worry about the waste. I worry about the waste. I worry about having all this waste. So that is my issue. I have said many times there are a few of us who care about that, and there are others who seem to feel comfortable it is totally safe. We will have that debate.

But the fact is, when you pass legislation such as this, there is a winner. The winner goes to those energy sources that don't produce carbon just on its face. That is why we give so much for clean coal, because we are trying to make sure we keep going with coal and that it is clean coal.

So I would say to my friend, and then I will yield my time to Senator WARNER to go back and forth—I am pleased he came over here. I love working with Senator ISAKSON. He is a friend. He is a pal. We don't see eye to eye on this particular issue because I believe that to have people who are nuclear powerplant proponents say this bill doesn't do enough, means they haven't looked at what the projections are ipso facto because it is a clean energy source, in terms of carbon. I wished to make that point. But I wish to thank my friend for the tenor and tone of his remarks.

I yield the remainder of my time to Senator WARNER.

Mr. WARNER. Mr. President, I thank the chairman. I would say to my good friend from Georgia, I have talked extensively with a wide range—as you have—of the industrial individuals who represent nuclear plants today and are forthcoming. The chairman is quite correct. A number of these companies are planning to go ahead boldly and courageously and build new plants. Given the uncertainties of where they are going to get the parts, can they be manufactured in the United States; given the uncertainties as to whether there are enough trained people to operate these plants, they are going ahead. So I don't believe it is just a profit motive.

But as I talk to these individuals, it is clear to me they are watching the jurisdiction of the Energy Committee as having a great proportion of the nuclear responsibility; the Tax Committee, and they cautioned against trying to do too much in this bill for fear of interrupting a process that is in place with the Energy Committee, the Tax Committee, and such other committees as deal with nuclear power because that responsibility does spread over quite a number of committees within the Senate. So we could not simply put into our bill, recommended by way of amendment at this time, such a comprehensive amendment because we know it is disruptive to the work that apparently is going on in other committees as it relates to nuclear power.

But perhaps I will reflect on this as to whether I could add in my amendment, or the Senator from Georgia might wish to modify my amendment and take those portions of his which do not impact blue slip—I think that is something we don't want to get tangled up with—and doesn't infringe on the jurisdictions of the other committees and see if we can make it work.

Mr. ISAKSON. Mr. President, I thank Senator WARNER. To Chairman BOXER, first of all, if I said—I very well could have—if I said I knew they weren't going to build more powerplants in the future, I didn't mean to say that. What I meant to say was those nuclear companies that were the most supportive were the ones that were way ahead in the building of nuclear plants already generated far more carbonless energy because of that and were going to sell their credits—and I am a business guy; I think making money is a great deal—are going to sell their credits to those companies that are more coal- and carbon-producing friendly.

You are right, I didn't talk about the modeling. The modeling does project more plants in the first 42, 43 years of the life of the bill to 2050. However, I would submit to you, a modernized nuclear title would allow those plants to come on safely, more quickly, and could more quickly address the carbon issue than the way we are currently caught in this conundrum of the antinuclear versus the pronuclear, so we do nothing to empower an industry that we know generates 73 percent of our carbonless energy today.

But I thank the distinguished chairman for her patience, the distinguished Senator from Virginia for his contribution. I look forward to working with you in any way I can to hopefully move us forward.

I yield back the remainder of my time.

Mr. WARNER. Mr. President, again, I commend our colleague for a very constructive contribution to the dialogue on this bill.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized for 20 minutes.

Mr. CORKER. Mr. President, I rise to speak about the Lieberman-Warner Climate Act. I understand I have 20 minutes.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. CORKER. I ask that the Chair notify me when I have 5 minutes remaining.

I wish to say I am very excited to be on the floor today. I have tremendous respect for the sponsors of this bill and all those who have been involved for some time. I think everybody knows by this point that while there are a number of arguments regarding the bill that is on the floor, I choose not to debate the science. I accept the fact that we as a country and we as a world need to address this issue.

I came to the Senate to focus on the big issues our country has to deal with. I saw this as one of those issues. For that reason, a year ago, I accompanied Senator BINGAMAN to Brussels, to Paris, and to London, where I sat down with carbon traders and with European Commission members. I met with cement manufacturers, utility providers, and all those involved, if you will, in this debate in Europe.

I also was fortunate enough to accompany the chairman, Senator BOXER, to Greenland to see the poster child, if you will, of what this debate in some ways is about. Ever since that time, I have been fixated, if you will, on the goal of figuring out a way that we as a country can put in place policies that allow our GDP growth, we can continue to ensure a better standard of living for those coming after us, having energy security as a country, and making sure we have climate security all at the same time. That has been my goal. I have seen, actually, this debate that is taking place this summer right now as a tremendous opportunity for us to come together as a country and to focus on those things.

Some of what I saw in Europe were unintended consequences, things such as fuel-switching that took place, when people move from coal to natural gas and all of a sudden found themselves very dependent on an unfriendly government—Russia—to supply natural gas and using that political clout, if you will, over some of those countries that were dependent. So I have worked with Senator WARNER and with others to try to craft legislation that I think works for our country.

I see this as a tremendous opportunity; I do. A lot of people think this is not a good time to be talking about climate change legislation. They say that because we have $4 gasoline at the pumps, this is a terrible time to be talking about legislation of this nature. I actually think this is a perfect time to be talking about it. I think there is a passion in our country, exhibited by the chairman, to address the issue of climate change. I think there are many people in our country who feel that same way. I think Americans throughout our country, seeing the prices at the pump, are feeling very vulnerable as it relates to their own energy security and realize that we as a country need to have a comprehensive energy policy that we do not have today. So I see this tremendous opportunity for these two groups who have been at odds for so many years—actually generations—to actually come together and to do something that is good for our country, both from the standpoint of the environment but also making sure our country is energy secure.

Now, I am going to say something I know that may not be that well received, but I think this bill, unfortunately—and with all the respect that I have for the sponsors—I think this bill unfortunately squanders that opportunity.

The reason I say this bill squanders that opportunity, instead of addressing those two things I mentioned in a pure fashion, we have resorted to the old-time politics of making sure we support various interest groups around our country and spread trillions of dollars around the country to try to win support for this bill. I think that is a shame.

I plan to offer some amendments I will discuss at the right time. Let me make sure the American people understand what happens with cap-and-trade legislation. Most Senators do. What this bill contemplates is capping the amount of carbon emissions our country emits, and then reducing that cap over time, from the year 2012 to the year 2050, and establishing a price for that carbon by creating an auction. It would be much like if Senator DOMENICI and I and Senator WARNER decided we were going to create a company, and what we did was allocated ourselves shares of that company, and in order to make the company grow, we sold public shares in the marketplace. Those shares would generate income into our company and allow us to grow, if that is what we wanted to do. But the day we went public, it would enrich us. Those allocations of shares we allocated to ourselves would enrich us immediately because they become marketable securities.

Obviously, what this bill does is, No. 1, takes trillions of dollars into the Treasury beginning in 2012 through an auction process; in other words, we sell carbon allowances on the public market. On the very day that occurs, the allowances that are talked about as if they mean nothing become marketable securities, and they enrich all of those entities that receive those allocations. That is where I think this bill misses the mark.

The auction proceeds that come in with this bill—let's be fair and I will not use words that are demagogic—when we pass cap-and-trade legislation, we all understand it increases the cost of energy that is generated through fossil fuel. That is a fact. That is petroleum, diesel, coal, ethanol, all of those things that, when they are consumed, emit carbon and will cost more on day one. So the American public is going to be paying for that.

Everything Americans buy—if this bill passes—that has something to do with energy will increase. When they go to the gas pump, it will cost more. When they pay their utility bills at the end of the month, it will cost more. When they buy food and clothing, it will cost more.

What this bill, unfortunately, does is takes in trillions of dollars—by the way, the EPA has modeled this based on a price of $22 per ton for carbon in the beginning. I want people to understand that today, in essence, in London carbon is selling for $41 a ton. Based on the modeling, this bill, over its life, transfers wealth of $6.7 trillion. But if it were, say, based on the prices of carbon today in London, it might be as much as $13 trillion.

We all know if this bill passes, every American will pay more for energy, and I understand that. By the way, I want everybody in this body to know I am open to discussing cap-and-trade legislation that takes our country in the right direction. What I am so opposed to—and I am so saddened by the fact that this bill does this—is this bill takes trillions into our Treasury and then, in a prescribed way, much of it in nondiscretionary spending, spends that money from the year 2012 through the year 2050. We have talked a lot about earmarks in this body. This is, in fact, the mother of all earmarks—to make sure I am neutral, it is the mother and father of all earmarks. This, in essence, creates an entitlement program from 2012 through 2050. I don't understand, if proponents want to affect our climate, why they don't take those trillions in and then immediately redistribute all of those dollars back to the American citizens. The reason is—and I am sad to say this—this bill attempts to win support of the American people and interest groups throughout our country by the same old thing that has gotten our country in trouble today, and that is spreading this money around to the various interest groups throughout the country and prescribing the spending in a way that I don't know of any bill since Medicare or Social Security. I don't know of a bill that has done this to this extent in modern times.

Another piece that goes unnoticed is the allocation process. This bill allocates out to entities all across this country carbon allowances. Those are marketable securities. It is the same as owning a share in IBM. It is a tremendous transference of wealth. Twenty-seven percent of the allocation in this bill goes to entities that have nothing to do with emitting carbon. I have no idea why we would do that in legislation of this nature. I think it is reprehensible. One of the reasons we see so many people walking the halls of our Senate offices in tailored suits, carrying nice briefcases, is that people who are in the know—I know the Senator mentioned some of these companies—realize this is a tremendous transference of wealth. If they sit at the table and they have something to do with how these allowances are allocated, that might be better for them even in operating their companies, as well, because we are creating a situation that transfers trillions of dollars of wealth.

I am going to be offering some amendments, and I am disturbed that some of the sponsors have indicated these are poison pill amendments. I have focused solely on the policies of this bill. I have never used demagogic language to describe this bill—never. I have never tried to debate the science. I am trying to focus on the policies of the legislation.

Mr. KERRY. Will the Senator yield for a question?

Mr. CORKER. I will yield when I finish. I know the Senator has spent a tremendous amount of time on this, and I respect that.

The reason we have cap-and-trade legislation being discussed is the fact that we want to limit the amount of carbon emissions that come out of our country. So one of the other pieces of the bill that, to me, is truly offensive is that this bill allows for something called international offsets, which is nothing more—again, I will go into this in detail when I offer an amendment—this is something that encourages companies in our country to go through a loophole so they don't have to pay the full price of carbon, and actually spend billions of dollars in countries such as China, where we already have tremendous trade deficits.

I absolutely have no understanding of why we would permit that in a bill such as this, which is being designed to limit carbon emissions in our country. These international offsets have been documented to be fraudulent. We have had tremendous problems in working through the United Nations to administer these programs. I have no idea why international offsets, which have been so fraudulent and have nothing whatsoever to do with lowering emissions in our country, would be part of this bill.

Let me say, in general, I realize we are not going to pass a bill this year, in all likelihood. I think that, in many ways, is regrettable. I think we as a country, right now today, when the American people are feeling very vulnerable—and right now we have many Senators in the Chamber who have such a passion as it relates to climate security—I think it is regrettable that we cannot come together and, as a part of this legislation, add many components—for instance, that one which PETE DOMENICI from New Mexico led us on—and create a bill that doesn't just address climate but also addresses our country's energy security.

The American people are looking to us right now to act like adults. I have to say I am not sure that as a country, for the last several years, for some period of time, we have owned up to our country's major problems. We have not done that. We have a tremendous opportunity in this body this week and next week to address our country's environmental issues simultaneously with energy security. I think that is what the American people are looking to us to do.

I regret the fact that this bill, instead of being about climate security, instead of being about something that drives our country toward using technology that would cause our country to be energy secure, has ended up being about money. It has ended up setting up a command-and-control economy.

Look at these various wedges on this pie chart. I could show many more. It is an amazing thing that from the year 2012 through the year 2050, over a trillion dollars of this money is pre-prescribed. It is amazing that, as it relates

to technology, there is a five-person board that has been set up to decide where the trade of dollars will be spent. I cannot imagine this body—I cannot imagine it—approving legislation of this type.

What I hope will occur is that the American people will become aware of what this debate is about. I hope all of us will have a constructive debate in this body. My goal and hope is that we as a body will come together around climate change and energy security in an appropriate way and in such a way so those generations coming after us will have a better quality of life.

Mr. KERRY. Will the Senator yield?

(Several Senators addressed the Chair.)

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

Mrs. BOXER. How much time does the Senator from Tennessee have remaining?

The ACTING PRESIDENT pro tempore. Three and a half minutes.

Mrs. BOXER. Mr. President, Senator KERRY wishes to question the Senator, if it is OK with the Senator from Tennessee. After that, I wish to be recognized for unanimous consent requests and perhaps an additional minute or two, to be followed by Senator WARNER for 2 minutes and Senator DOMENICI for 2 minutes. And then——

Mr. DOMENICI. Mr. President, I want time.

Mr. SPECTER. Parliamentary inquiry, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania will state his inquiry.

Mr. SPECTER. It is my understanding that I have 15 minutes at 12:15, which I have been waiting for all morning.

The ACTING PRESIDENT pro tempore. Yes, following the Senator from Tennessee.

Mr. SPECTER. I thank the Chair.

Mrs. BOXER. I wish to have 2 minutes to do unanimous consent requests before my friend starts. I know Senator WARNER wishes 2 minutes. The remaining time would be between the Senator from Tennessee and the Senator from Connecticut.

Mr. SPECTER. Mr. President, I am agreeable to defer my 15 minutes, which is scheduled to start at 12:15, for 2 minutes for Senators BOXER and WARNER. I don't understand what followed that. So I wish to proceed at that time with that.

Mrs. BOXER. Yes, that is exactly what I said.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KERRY. Mr. President, if I understand, the Senator from Tennessee has some time left. I did rise to ask a question. The Senator said he would be happy to answer the question.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request?

Mr. DOMENICI. I object.

Mr. SPECTER. Reserving the right to object, I don't know what the request is.

Mrs. BOXER. I will reiterate it. It is that Senator CORKER finish his 3½ minutes and do a colloquy back and forth with Senator KERRY; that immediately following that, I have some time to make some unanimous consent requests and have a minute to comment on what has transpired, and that be followed with 2 minutes for Senator WARNER. So far we are 3 minutes delaying Senator SPECTER. Senator DOMENICI said he did want some time, or did not?

Mr. DOMENICI. Let me say, I am going to ask the Senator from Tennessee to yield to me a minute of his time to answer a question, or ask a question on his time.

Mr. SPECTER. Mr. President, reserving the right to object, and I do intend to object, I have already said I would be willing to yield 2 minutes to Senator BOXER and 2 minutes to Senator WARNER, where Senator BOXER then added some amorphous language about an exchange between the Senator from Tennessee and the Senator from Massachusetts. I don't understand what that is and how long.

If I may finish, Mr. President. If I may finish.

Mr. CORKER. I will take my time back.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania has the floor.

Mr. SPECTER. I have been waiting a while. I would like to have my time which has been locked in and for which I have been waiting. Beyond the yielding to Senator BOXER for 2 minutes and Senator WARNER for 2 minutes, I will object to anything further.

Mr. KERRY. Regular order, Mr. President.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee, 3½ minutes, has expired. Is there objection to the unanimous consent request?

Mr. SPECTER. Mr. President, will you restate the unanimous consent request?

Mr. DOMENICI. Parliamentary inquiry: How did his time expire?

The ACTING PRESIDENT pro tempore. Through this conversation.

Mr. DOMENICI. This conversation is automatically charged to him?

The ACTING PRESIDENT pro tempore. Yes, he had the floor.

Mr. CORKER. Mr. President, if I could, I think what they have asked for is 3½ minutes plus 4 minutes, for 7½ minutes. The Senator from Pennsylvania, whom I admire and respect—I have sat here many times waiting for every Senator on this floor to speak. This is an important topic, and I hope he will allow Senators on the other side of the aisle to have a little discussion right now for 7½ minutes, and then we will stop.

Mr. SPECTER. I will be glad to add to the 4 minutes 3½ additional minutes which Senator CORKER asked for on the condition that be the extent of it.

Mrs. BOXER. Yes.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous consent request? Without objection, it is so ordered.

The Senator from Massachusetts, I believe, is recognized for a question for the Senator from Tennessee.

Mr. KERRY. Mr. President, I listened to the Senator from Tennessee calling this bill a spending bill—in fact, an entitlement bill. I ask the Senator from Tennessee—I believe the Senator from Tennessee voted for farm subsidies. I believe the Senator from Tennessee voted for capital gains tax reduction. I believe the Senator from Tennessee voted for the oil and gas depreciation.

I would like to know from the Senator from Tennessee, if those are not subsidies, how he distinguishes incentives that change behavior that are market driven. You either take advantage of it or you don't. Nobody commands and controls. It is up to the individual company. Why is the effort to have a transfer of a payment that is an incentive for different behavior any different from any of those things for which the Senator from Tennessee has voted?

Mr. CORKER. Actually, I am glad the Senator from Massachusetts brought that up. That is the portion of cap-and-trade legislation that I believe is appropriate. Unfortunately, what this bill does is it takes in trillions of dollars and then pre-prescribes how that money is spent, going out into areas to people who have nothing whatsoever to do with emitting carbons. Twenty-seven percent of the allocations go out to entities in this country that have nothing whatsoever to do with emitting carbon. That is a huge unnecessary transference of wealth.

I would like to yield some time to Senator DOMENICI. I answered the question, and I would love to debate the Senator further on the floor. I know we have the Senator from Pennsylvania.

Mr. DOMENICI. Mr. President, I want to say to everyone in the Senate, in all honesty, they ought to have a chance to hear the Senator from Tennessee. If they haven't, they ought to read what he said because there is no question that I, as a rather informed Senator, had no idea what this bill does until I listened to him and then looked at it.

It is absolutely incredible that we are thinking of a bill such as this to solve climate change when, as a matter of fact, it is going to be the biggest redistribution of wealth we have ever adopted in this Senate, and we are not even sure it will accomplish anything very significant toward the reduction of carbon dioxide as an impediment to climate change.

I cannot understand why we would be doing this. One little piece is a commission of five men who will distribute allocations pursuant to this legislation, totally at their discretion, a trillion dollars or more. Who on God's Earth would think that is in this bill?

But it is. I commend him. I hope he comes here two or three times and explains again in more detail what this bill does.

I am not against legislation for climate change, but I am convinced that we better do something for the American people on bridging crude oil use, crude oil development, putting some of the things we need in place for energy before we put this legislation in place. I think the American people will soon understand that.

Mr. CORKER. Mr. President, how much time is left?

The ACTING PRESIDENT pro tempore. The Senator has 15 seconds.

Mr. CORKER. Let me just say, I hope we have further debate. I respect people on both sides of the aisle. Surely, we can come up with a way to make sure our environment is appropriately dealt with and that we have energy security——

The ACTING PRESIDENT pro tempore. Time has expired.

Mr. CORKER.—and not cause this to be a burden on Americans as it is by prespending trillions of dollars.

The ACTING PRESIDENT pro tempore. Time has expired. The Senator from California.

Mrs. BOXER. Mr. President, we all respect each other, but I have to say, I don't think my friend from Tennessee understands this bill at all. All I can say is, he couldn't understand it because the biggest piece of this bill, OK, is funds for the American people, a big tax cut. If my friend opposes a tax cut, he ought to say it. It is a huge tax cut for the American people to help them deal with the increases in gas prices.

Right now, under this President, we have seen a 250-percent increase in the cost of a gallon of gas, just in 7 years. We have no resources. This bill gives us the resources. It gives us consumer relief.

My friend from Tennessee used very harsh words, in my opinion, to attack a bill that really does address the issue of global warming, addresses the issue of energy independence. And for him to call it command and control is rather a joke since we specifically rejected a carbon tax and we allowed the free market to set a price on carbon.

As to Senator DOMENICI's statement, again, he says it will do nothing. Read the modeling. We do what we have to do in this country to exert the leadership to decrease these greenhouse gases, and we do it in a way that has won the support of business, labor, and huge numbers of people across this country, including the U.S. Conference of Mayors and Republican and Democratic Governors.

Mr. President, I ask unanimous consent that when we resume after lunch that I be recognized to speak for up to 30 minutes, followed by Senator INHOFE to speak for up to 30 minutes.

Mr. INHOFE. Reserving the right to object.

Mr. KERRY. Reserving the right to object, it is my understanding, there was an order in place——

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. INHOFE. Reserving the right to object.

Mr. WARNER. Reserving the right to object, I thought I had 2 minutes.

Mrs. BOXER. The Senator does.

Mr. WARNER. Then at the appropriate time the Chair directs me, I will use the 2 minutes.

Mr. KERRY. Mr. President, I simply would like to ask we modify that request because I was going to follow, but we have chewed up a lot of time now and we have our caucuses. I am happy to go after Senator INHOFE and Senator BOXER, or I am happy to go before, whatever they prefer, but I think we ought to do it after the caucuses now at this point. I ask the Chair what her pleasure is.

Mrs. BOXER. If my colleague agrees.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, the understanding was that Senator SPECTER would be next for 15 minutes, and after that, the Senator from Massachusetts. If it is the Senator's preference to wait until afterwards, I have no objection to that.

Mrs. BOXER. And Senator WARNER has 2 minutes.

The ACTING PRESIDENT pro tempore. Is there an objection to the request as modified?

Mr. SPECTER. Mr. President, what is the pending unanimous consent request?

The ACTING PRESIDENT pro tempore. To allow the Senator from California and the Senator from Oklahoma to each have 30 minutes after we come back from the recess.

Mrs. BOXER. Followed by Senator KERRY.

The ACTING PRESIDENT pro tempore. To be followed by the Senator from Massachusetts. Is there objection?

Mr. INHOFE. I object.

Mrs. BOXER. I thought you said it was OK.

Mr. INHOFE. Let's just try a new one. I ask unanimous consent that the Senator from Virginia be recognized for 3 minutes, followed by the Senator from Pennsylvania for 15 minutes.

Mr. SPECTER. That is this morning, now.

Mr. INHOFE. All this takes place prior to the break for lunch.

Mr. REID. Mr. President, is there a request that we go past 12:30?

Mr. INHOFE. My unanimous consent request, I say to the distinguished leader, would postpone the 12:30 recess for lunch for about 10 minutes.

Mr. REID. I will just say, I have no problem if the lunches don't start until 20 till 1, but anything other than that, I respectfully have to say I hope people can come after the Senate picture this afternoon. I know comparing it to global warming, it is not a very important issue. Staff has worked some 6 weeks to set up this place to take the picture at 2:15. Both caucuses have a lot to talk about. Senator KERRY has agreed to wait until after lunch. That will be fine.

The ACTING PRESIDENT pro tempore. For the record, we have not disposed of the unanimous consent request. But if my mathematics is correct, that unanimous consent request will take us up to 15 before 1. Is there objection to the unanimous consent request by the Senator from Oklahoma? Without objection, it is so ordered.

The Senator from Virginia.

Mr. WARNER. I thank the Presiding Officer. Mr. President, I say to my good friend, this has been an excellent debate he engendered on this floor. This is what we should have. This is the only way we are going to resolve this issue of global warming. I urge the managers to consider building in a little block of time after speakers, such as there can be some colloquy taking place rather than just one speaker, another speaker, reading a speech or delivering a speech. This is what it is all about.

Mr. President, I say to my good friend, he and I have worked on this issue over a period of about 2 or 3 months. I have worked on it for 8 months. I don't claim any special credit. But if the Senator feels so badly about this bill, why haven't he and others brought to the floor a companion bill to replace this and to solve the problems he has? It is one thing to come in here and hail damnation on what we have done by means of putting this bill together, but if it is going to be a constructive process, show us—

Mr. INHOFE. Will the Senator yield?

Mr. WARNER. Let me finish the statement, and I will yield the floor—a comprehensive bill that will work to the satisfaction of a majority of the people here. For example, you talk about this board, seven men. Let's say there might be a woman or two on it.

Mr. CORKER. I didn't say ''men.'' I said five people.

Mr. WARNER. The point is, if we look at section 435 of the bill, it says that chart the Senator has up there has to be approved by the Congress.

Mr. CORKER. It can only be vetoed.

Mr. WARNER. Nevertheless, you omitted any reference to the fact that Congress has a hand. If you look at the amendment I have thrown in, the President of the United States, at any time he or she desires, can go in and change that. So it is not as if we have unleashed this bill in perpetuity. There are a number of checks and balances in this bill to protect the very issues that the Senator states.

Mr. CORKER. Mr. President, if I may proceed, because my name has been brought forth, for 60 seconds.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. First of all, this bill, in black and white, prespends over $1 trillion with no congressional oversight. The Senator from Virginia is right on the one portion to which he was referring. We can either veto it or approve

it, but we have no say-so on how those technology moneys are spent.

I object to the comment about me being a Johnny-come-lately. I have been very transparent about this legislation. I have authored three very detailed amendments, sent them to every colleague in this Senate, and have given the background to them. I have been totally transparent throughout this process. I have made public presentations about the three amendments that I think would make this bill far better—things that people call poison pills. I think the Senator knows I certainly have not come to this debate at a late time, and I plan to offer those amendments.

The ACTING PRESIDENT pro tempore. Time has expired.

Mr. WARNER. Mr. President, I agree with what the Senator has said.

The ACTING PRESIDENT pro tempore. Time has expired.

The Senator from Pennsylvania.

Mr. SPECTER. I thank the Chair. It has been a little tough getting these 15 minutes, but I am glad to have them.

Mr. WARNER. The Senator showed courtesy in getting them.

Mr. SPECTER. Mr. President, I sought recognition to discuss a number of amendments which I will be proposing to offer. I intend to offer an amendment on emission caps because of my concern that the emission caps which are set in the Lieberman-Warner bill cannot be obtained.

I believe the problem of global warming is a major problem and we ought to deal with it, but I think we have to deal with it within the realistic bounds as to what the technology would permit, and it is going to be very difficult to get 60 votes to oppose cloture, and if a legislative proposal is on the floor which is unattainable, we are going to end up getting nothing. So it is my intention to take the emission caps from the Bingaman-Specter bill and offer them as an amendment to the Lieberman-Warner bill.

I intend to offer a second amendment—a cost-containment safety-valve amendment. This amendment will include the so-called technology accelerator mechanism which has been included in the Bingaman-Specter bill, and will provide a very important safeguard on the legislation.

I intend to offer a third amendment on international competitiveness. It is vital that we not structure legislation which will put United States industry at a substantial disadvantage. On February 14, I testified before the Senate Finance Committee on this subject, noting that China wishes to have 30 years, and by that time there will be no steel industry. So there have to be restrictions on steel illustratively coming in the United States, and this amendment on international competitiveness will deal with that subject.

I intend further to offer an amendment captioned ''Process Gas Emissions,'' because there is no technological alternative to a company's annual requirement to submit emissions allowances.

Finally, there is a potential fifth amendment, which I am not yet certain about, and that would involve the pathway to the future for coal amendment.

The statement was made earlier in the past half hour about Senators not understanding this bill. I think that is a real problem. This is an extraordinarily complex bill. We have had the Warner-Lieberman bill, then we have had the Boxer bill, a second bill, and now I understand there is going to be a third substitute. So as we are working through the amendments which I have articulated, it is a difficult matter, with the topography changing and with the underlying bill changing, and it is my hope this bill will remain on the floor with procedures to give Senators sufficient time to take up the very important matters which are at hand.

The first and most fundamental one is to have enough debate so that there is an understanding of the bill. I agree with my distinguished colleague from Virginia, Senator WARNER, who a few moments ago asked for time so there could be debate and an exchange. Too often speeches are made on this floor without an opportunity for debate and questioning and cross-questioning to get to the very important matters. There has been some speculation that the procedure that will be employed by the majority leader—so-called filling the tree—would preclude further amendments. I hope that will not be done here. Regrettably, it has become a commonplace practice, going back with Republican majority leaders and Democratic majority leaders, so that the filling of the tree has made a very fundamental change in Senate procedure, which traditionally has been that a Senator could offer an amendment on any subject at any time and get a vote.

When the tree is filled, obviously matters cannot be debated and efforts for cloture cannot move forward. This is a matter which has awaited a fair amount of time. It is complex. And if Senators are not able to offer amendments, such as the amendments which I am proposing to offer, there is no way to find out what the merits of the bill are and what the merits of the amendments are.

On the subject of filling the tree, I have had for months now an amendment on a rules change filed with the rules committee which would alter the authority of the majority leader to employ the so-called procedure of filling the tree.

Another concern which is related has been the shift in the practice of the Senate on the filibusters. There had been a tradition in the Senate that when somebody offered a bill, and there was opposition and the opposition intended to conduct a filibuster—that is to deny a vote unless 60 votes were obtained to cut off debate—that there would be that kind of debate. Most recently, we have seen the practice employed that if someone says there is an intent to have a filibuster, there is a motion to proceed for cloture on a filibuster, there is a 20-minute vote, and when cloture is not invoked, the matter is eliminated.

Recently, we had a very serious piece of legislation coming to the floor which sought to change a ruling of the Supreme Court of the United States on the rights of women to obtain relief, where the Supreme Court had imposed a 6-month statute of limitations in a situation where the woman who sought relief didn't even know she had a cause of action within the 6 months. Well, that matter came and went so fast on the Senate floor that nobody knew what it was about. Had the proponents of that legislation debated it, brought it to public attention, and had the opponents of the legislation, who wanted to filibuster it, engaged in extended debate, the public would have understood what was going on.

So the matter of having adequate time to debate this very complex legislation is very important. And if there is to be any possibility of finding 60 Senators to coalesce around a cloture petition, 60 Senators to agree on legislation, Senators are going to have to have an opportunity to offer their amendments. There is great therapy in being able to offer an amendment, even if it is not accepted. But we can hardly engage in a practice of filling the tree, where Senators are not permitted to offer amendments, and expect to have this bill move forward, people understand it, and find 60 Senators who are willing to come together on the very important piece of legislation which is at hand.

Mr. President, I ask unanimous consent that there be included in the RECORD at this time a summary of the sheet of the five potential amendments I intend to offer, and an explanation of the amendment on the cost-containment safety valve, an explanation on the amendment on international competition, an explanation on the amendment on process gas emissions, and the single sheet which explains the proposal on a possible pathway to the future for the expanded use of coal amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

POTENTIAL SPECTER AMENDMENTS

Emissions Caps/Targets Amendment.—Substitute the Bingaman-Specter (S. 1766) emissions limits in place of the Lieberman-Warner limits.

Lieberman-Warner	Bingaman-Specter
2012—cap at 2005 level	2012—cap at 2012 level.
2020—15% below 2005 (1990 levels).	2020—cap at 2006 level.
2030—30% below 2005	2030—cap at 1990 level.
2050—70% below 2005	2050—≥60% below 2006 contingent on international effort.

Cost-Containment Safety-Valve Amendment.—Include the so-called ''safety valve'' or Technology Accelerator Mechanism that was included in the Bingaman-Specter bill; that provision states that if the price for an allowance for each ton of greenhouse gas

(Carbon Dioxide equivalent) being traded on the open market reaches a certain level, then regulated entities have the option of purchasing additional allowances directly from the government at a set price; specifically, we set the price at $12 per ton, rising 5% over inflation annually.

International Competitiveness Amendment.—Address the standard used to determine if our trading partners are taking ''comparable action''; restrict an Administration's ability to simply waive requirements on importers; bring the compliance date in line with the start of the program (i.e. 2012, rather than 2014 in the new version—changed from 2020 in the original); revise provisions added for ''downstream'' products that may ironically result in exempting the ''upstream'' inputs like steel; include all countries, not just large emitters; and equalize the ability of U.S. and foreign entities to purchase international allowances to meet the requirements.

Process Gas Emissions Amendment.—Clarify that process gases for which there is no technological alternative will not be counted in a company's annual requirement to submit emissions allowances.

Pathway to the Future for Coal Amendment.—Potentially including provisions: Providing technology funding and incentives; adding a carbon dioxide storage liability framework; adding a safety-valve; aligning emissions caps/targets with technology; improving allocations; addressing duplicative State programs; and other issues.

EMISSIONS CAPS/TARGETS AMENDMENT

As I stated yesterday, I have serious concerns about the stringency of the emissions reductions in the Lieberman-Warner ''Climate Security Act.'' There is great concern in the industrial, electric, and general business sectors that these emissions levels are unattainable without serious demand destruction in the form of lost jobs and production in the U.S. that would result from higher cost.

If we do not set the emissions caps at a reasonable level, the supply and demand situation set up under a cap-and-trade program will impose high costs by definition. I intend to propose an amendment to substitute the Bingaman-Specter (S. 1766) emissions limits in place of the Lieberman-Warner limits. This will more closely align technology development with the emissions reduction targets.

In my view, the most important thing our nation can do is start a mandatory climate change reduction program as soon as possible. If we wait until there is consensus among important stakeholders from both sides of the equation, we will lose another year or two or three that we frankly do not have.

Emissions targets/caps

Bingaman-Specter 2012—cap at 2005 level.

2012—cap at 2012 level 2020—15% below 2005 (1990 levels).

2020—cap at 2006 level 2030—30% below 2005.

2030—cap at 1990 level 2050—70% below 2005.

2050—60 percent below 2006 contingent on international effort.

COST-CONTAINMENT SAFETY-VALVE AMENDMENT

Senator Bingaman and I worked very hard to find the right balance between starting the U.S. on an emissions reduction path, but protecting the economy;

We are talking about taking unilateral action on a global problem reducing concentrations of greenhouse gases in the atmosphere; we cannot solve this problem alone and until a comprehensive international agreement is in place, the U.S. remains at risk of competitive disadvantages.

If some proponents of climate change legislation are correct in their predictions, the cost of domestic action on the problem will not be high.

However, if costs are above what Congress determines in unacceptable, there must be an adequate mechanism to keep the program in line with what the U.S. economy can handle; I intend to offer an amendment to include the so-called ''safety valve'' or Technology Accelerator Mechanism that was included in the Bingaman-Specter bill; that provision states that if the price for an allowance for each ton of greenhouse gas (Carbon Dioxide equivalent) being traded on the open market reaches a certain level, then regulated entities have the option of purchasing additional allowances directly from the government at a set price; specifically, we set the price at $12 per ton, rising 5% over inflation annually; this protects the economy, while still sending the necessary price signal to industry that there is an escalating price to carbon that must be factored in investment decisions; I am open to a debate about the appropriate level at which to set such a safety-valve;

Unfortunately, opponents of this provision have flatly attacked it without addressing the question of what an appropriate price trigger would be; I was very glad to hear Chairman Boxer state on the Senate floor yesterday thanking Senator Bingaman and me for our proposal on this subject. She described it as ''what I thought was a very important off ramp. The one thing I didn't agree with them on is the price they picked for the price of carbon.''

I hope this is an indication that we can finally have a legitimate debate about this important protection for the U.S. economy and consumers.

While Senator Boxer inserted a new ''cost containment auction,'' I believe the new cost containment provisions require extensive review and a true safety-valve should be added.

Senator Warner provided leadership in adding provisions to empower the President to alter the program, but I fear this still provides too much discretion and would potentially be used after adverse effects have already happened.

INTERNATIONAL COMPETITIVENESS AMENDMENT

Senator Bingaman and I included key international provisions in our bill. These provisions were based on a proposal from American Electric Power (AEP) and the International Brotherhood of Electrical Workers (IBEW).

Senators Lieberman and Warner included our provisions in their legislation as well; The purpose of these provisions is to ensure that greenhouse gas emissions occurring outside the U.S. do not undermine our efforts to address global climate change and we further want to encourage effective international action.

As first introduced, if eight years after the enactment of the U.S. program, it is determined that a given major emitting nation has not taken comparable action, the President at that time is authorized to require that importers of greenhouse-gas-intensive manufactured products (iron, steel, aluminum, cement, glass, or paper) from that nation submit emissions credits of a value equivalent to that of the credits that the U.S. system effectively requires of domestic manufacturers.

I testified before the Senate Finance Committee on February 14th of this year on these provisions. It is my view that since the provisions treat imports the same as domestic products, I believe they are compliant with GATT and would survive a WTO challenge. Now, I understand that modifications of this proposal are found in the Boxer substitute.

As my staff and various industries review the language, there remain concerns that the provisions may still require changes to ensure their effectiveness; specifically, I am considering offering an amendment to: Address the standard used to determine if our trading partners are taking ''comparable action''; restrict an Administration's ability to simply waive requirements on importers; bring the compliance date in line with the start of the program (ie. 2012, rather than 2014 in the new version—changed from 2020 in the original); revise provisions added for ''downstream'' products that may ironically result in exempting the ''upstream'' inputs like steel; include all countries, not just large emitters; and equalize the ability of U.S. and foreign entities to purchase international allowances to meet the requirements.

PROCESS GAS EMISSIONS AMENDMENT

It is my understanding that some emissions resulting from production of energy-intensive manufacturers like steel and cement would be exempted because there is no feasible technological alternative;

For example, the use of carbon is irreplaceable to the processes and the metallurgical reactions necessary to produce virgin steel. Carbon, in the form of coal or coke, is used as a reducing agent to strip oxygen molecules from iron ore, producing iron, the basic building block of steel, and carbon dioxide. Without carbon there can be no steel.

Without this exemption, given current technology, the only way to substantially reduce emissions in the integrated steel industry is to reduce production and employment.

Cooperative efforts are underway between the steel industry and the U.S. Department of Energy to find technologies to produce steel with far less carbon emissions, but they are far from commercial viability.

I intend to offer an amendment to clarify that process gases for which there is no technological alternative will not be counted in a company's annual requirement to submit emissions allowances.

This exemption will only impact a very small percentage of U.S. emissions, but will protect an essential industry that will play a major role in the energy sector expansion that would result upon passage of this bill or even in its absence given rising energy demand.

PATHWAY TO THE FUTURE FOR COAL AMENDMENT

I am considering offering an amendment to address the serious shortcomings in the Lieberman-Warner bill in terms of providing a pathway to the future for coal;

I am concerned that the bill does not provide sufficient funding or incentives for carbon capture and storage (CCS) and advanced coal technologies; It is my understanding that the Boxer substitute replaces the original Lieberman-Warner advanced coal research program with a ''kick-start program'' that dramatically cuts carbon capture and storage technology funding. According to the National Mining Association, the substitute provides 85% less funding through 2030 for advanced coal and sequestration development, and eliminates all funding for carbon storage demonstration projects.

Without adequate funding for these priorities, the result is likely to be severe reductions in U.S. coal use—America's most abundant energy resource.

Further, the substitute dramatically reduces the number and rate of bonus allowances for CCS deployment from the previous Lieberman-Warner bill. The Bingaman-Specter bill was the first to create this incentive for early deployment of carbon capture and storage technologies. I am told the substitute reduces CCS bonus allowances 19 percent through 2030 compared to levels in Lieberman-Warner which were already insufficient.

Broadly, the Boxer substitute fails to harmonize the timeline for emission reductions with the availability of commercially deployed technologies necessary to reduce emissions.

I look forward to working with my colleagues and the coal industry to find the right balance between imposing a mandatory cap on carbon emissions while ensuring the future of coal.

Some issues we need to consider are: Providing technology funding and incentives;

Adding a carbon dioxide storage liability framework; adding a safety-valve; aligning emissions caps/targets with technology; improving allocations; address duplicative State programs; and others.

Mr. SPECTER. I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, I say that my friend from Pennsylvania has been a great leader on this, and I am ready right now, as is Senator WARNER, as is Senator LIEBERMAN, to start debating amendments. Unfortunately, the Republican leadership has said we need to run out 30 hours, so we are not going to be able to begin the amendment process. But it runs out tonight and, hopefully, first thing in the morning we will start with the amendment process.

Mr. President, I have a unanimous consent request, signed off on by Senator INHOFE and myself, and I ask unanimous consent that the order of speakers for this afternoon's debate on the motion to proceed to the climate bill be as follows: BOXER, 20 minutes; INHOFE, 30 minutes; KERRY, 20 minutes; BARRASSO, 15 minutes; WHITEHOUSE, 15 minutes; GRASSLEY, 15 minutes; CASEY, 15 minutes; ENZI, 20 minutes; CARPER, 30 minutes; ALEXANDER, 20 minutes; WARNER, 20 minutes; BOND, 20 minutes; LIEBERMAN, 30 minutes; VITTER, 15 minutes; NELSON of Florida, 15 minutes; and CRAIG, 15 minutes.

Further, I ask unanimous consent that following each speaker, the bill manager or their designee from the opposite side of the previous speaker have up to 5 minutes for a rebuttal statement prior to the next speaker listed above being recognized.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GREGG. Reserving the right to object.

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

Mr. GREGG. If the Senator would add me for 15 minutes on that list, I would appreciate it.

Mrs. BOXER. Happy to do that. And, Senator, I will add a Democrat before you, and you will be the next Republican after Senator CRAIG, for 15 minutes.

Mr. GREGG. Thank you. I appreciate it.

Mr. KERRY. Mr. President, I ask that my 20 minutes be made 30, for my purposes.

Mrs. BOXER. That is fine.

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

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will stand in recess until after the official Senate photograph.

Thereupon, at 12:43 p.m., the Senate recessed until (2:31 p.m.), and reassembled when called to order by the Presiding Officer (Mr. CARPER).

Mr. SALAZAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

UNANIMOUS-CONSENT REQUEST—S. 239

Mrs. FEINSTEIN. Mr. President, in a moment I wish to make a motion, but I would like to say as a prelude, for 6 years I have worked on legislation to provide for notification in the event of a data breach. During that period of time, 43 States have passed their own legislation. We would not know of data breaches if it were not particularly for the State of California which has put forward action on several of them.

The bill went to the Judiciary Committee. It has been heard in the Judiciary Committee. With the cooperation and support of the chairman of that committee, Senator LEAHY, the bill has come out unanimously and has been pending before this body. There are holds on the bill.

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 180, S. 239, data breach modifications; that the committee-reported amendment be considered and agreed to, the bill, as amended, be read a third time, passed, and the motion to reconsider be laid on the table, without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SESSIONS. Mr. President, reserving the right to object—and I will object—I value the interest and effort Senator FEINSTEIN has put into this bill. I have also worked on this issue for some time. Last year, I think my bill cleared the committee by unanimous consent, and this year her bill is out on the floor. There are some differences. I commit to Senator FEINSTEIN, post my objection today, that we will try to work together to see if we can reach accord. There are some differences that are significant and some I am sure we can work out. So we will just have to give a good-faith effort at it.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. LEAHY. Mr. President, if I could respond to something the Senator from California said, I commend Senator FEINSTEIN for her efforts. She has worked very hard on this privacy matter. I realize there are some who want to block it. If you are a person who has had your identity stolen, if you have had your computer hacked, and somebody has gone into your bank account or somebody has ruined the chances of your children getting into a college, all from identity theft, you would be rushing down here to vote for this bill. I hope my friends on the other side of the aisle, Republican Senators, will stop objecting. I hope we can pass this legislation.

CLIMATE SECURITY ACT OF 2008—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, is it appropriate at this time to yield some of my time? I have an hour postcloture; is it appropriate now to yield that to someone?

The PRESIDING OFFICER. It is.

Mr. REID. I yield ½ hour to the Senator from California, Mrs. BOXER.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, to remind the first few speakers, what we have is BOXER for 20 minutes, and I plan to yield 5 of those minutes to Senator DURBIN, then a rebuttal by Senator INHOFE or his designee, then Senator INHOFE for 30 minutes, then a rebuttal by our side, then Senator KERRY for 30 minutes.

I have found this debate so far to be very interesting and very heartfelt. What I would like to do before I yield a few minutes of my time to Senator DURBIN is kind of take it to where it has gone thus far. So far we have had a vote to proceed to this matter, a very strong vote to do that, 74 votes yes. That is good.

What isn't so great is, we are kind of being slow-walked by the Republican leadership in such a way that we can't start the amendment process which, as we all know, is crucial on a bill of this nature. So that is disappointing.

I think the debate has been very interesting, and I would like to relate where I think it is at this point.

Those of us who believe the Boxer-Lieberman-Warner proposal makes sense believe it is time to change the status quo as it relates to our energy policy in this country. What we have now with our dependence on fossil fuels is an energy policy which is now getting very costly because of increased demand in the world, because of speculation, because of a lot of reasons, and it is also polluting the planet to the point where we see the global warming impacts already starting.

My colleague, Senator FEINSTEIN, was brilliant today, both at a press conference and on the floor, in talking about what is already happening in the West with our snow pack, with lakes that are disappearing, with the problems we are having. We know, if we listen to the scientists—and the scientists are in agreement, and I am glad that my colleagues on the other side

are not debating whether global warming is happening; they have, it seems to me, accepted that fact—that we have a choice. Either we continue what we are doing today with the same kind of energy sources we have, with the buildup of greenhouse gas emissions and carbon pollution or we move forward and say: How can we tackle this issue in a way that saves the planet, saves the species?

By the way, 40 percent of God's creatures may be extinct if we don't act. How are we going to do this in such a way that our grandchildren and their children don't face a disastrous situation where the planet becomes inhospitable. We have the numbers, how many thousands more people will die of heat stroke. We have the numbers, and the numbers come from the Bush administration. So how do we do this in a way that saves the planet, cuts down on pollution and, by the way, gives us alternatives to energy we now have which, in the long run, will be cheaper, more reliable, and make us completely energy independent?

I believe what our bill does is achieve those goals. We fight global warming. At the same time, we bring about an economic renaissance from investments in new technologies that will make us energy independent. To me, it is a pretty stark choice. Either you are for the status quo and you are going to find an excuse not to be for this bill or you are going to take a look at this bill, which is a tripartisan bill—a Democrat, an independent, a Republican bringing it to the Senate—reflective of America, reflective of the span of our views in this Nation.

The one thing I hear—again, it must be out of some talking point somebody wrote over there on the other side—is gas prices. Don't do this bill because of gas prices.

I am going to show you what has happened to gas prices without this bill. I want you to look at this. This is what has happened under George Bush's watch. We have seen gas prices go all the way up to $3.94 from $1.50, and that, in 7½ years, is a 250-percent increase. That is what our people are upset about.

My colleagues on the other side know this. They have done nothing about this. I am going to ask my assistant majority leader to talk about this. How many times we have begged them, do something about big oil. Return the money to the people. Investigate what is happening with speculation. No, they won't do anything. But what they are saying is, and what the Bush administration is saying is, if you pass this bill, this Climate Security Act, gas prices are going to go up.

Folks, they are going to go down. Worst case scenario that the President picked up, they will go up 2 cents a year. That is the worst case scenario. But that is going to be offset by the fuel economy bill that the President himself signed.

I am looking at Senator CARPER, the Presiding Officer. He worked hard on that, with Senator FEINSTEIN, Senator INOUYE, and Senator KERRY, those of us on the Commerce Committee. That will be offset. The truth is, the stark truth is, you pass this bill, we are going to see a reduction in gas prices. We are going to have alternatives, and we are going to see jobs created. We are going to see new companies starting. We are going to see the genius of America take hold if only we have the courage—not to come on this floor and make a bogus argument about an issue they did nothing about, but if we have a real debate on what this bill means.

So at this time, I reserve the remainder of my time.

Mr. President, how much time do I have?

The PRESIDING OFFICER. Thirteen minutes.

Mrs. BOXER. Mr. President, I yield 5 minutes of those 13 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 5 minutes.

Mr. DURBIN. Mr. President, first, I extend my gratitude to Senator BOXER for her extraordinary leadership on this issue, a bipartisan issue, with Senator LIEBERMAN, Senator WARNER, and so many others on both sides of the aisle.

In the history of our country and of this great institution, the Senate, there have been many occasions when Senators have come to the floor and spoken of threats to the security of the United States of America. Those threats usually came in the form of dictators or ideologies such as communism and fascism, and we mobilized American opinion behind fighting those threats. We asked great sacrifices from our people to come forward to make sure future generations would enjoy the freedoms and opportunities we enjoy today, which many take for granted.

The debate today is about another threat, a very real threat, to the future not only of the United States but to all the countries in the world. It is a common threat. This bill is about reducing carbon pollution that causes global warming. It uses free market incentives to protect American jobs and creates international sanctions for those countries that do not participate. It is a tried and true approach. We have used this very same approach, as this bill suggests, to successfully reduce acid rain. So we know it works. We know how compelling it is for us to move on it, and move on it quickly. Delay on this subject will mean even greater sacrifices in the future. In fact, it may reach a point where it is not even feasible to address the issue.

We are all concerned about the cost of fuel, whether it is gasoline or diesel fuel or heating oil or jet fuel. The stark reality is, this bill will bring us to a new attitude and a new approach: more fuel efficiency, driving the same miles using less fuel, with less carbon pollution, and fewer emissions.

This bill drives us forward in a positive way to deal with the needs of our economy and to keep the costs of energy within the grasp of families and businesses and farmers.

Secondly, the bill focuses on creating new jobs, the jobs of our future. In this country and in the world will be jobs that really look to the environment as a major element in costing out things. It is no longer just the cost of bringing a ton of steel halfway around the world from China. It is also the carbon cost of transporting that steel that has to be taken into consideration. That is a very real cost.

When we start thinking in terms of fuel efficiency, the United States can use the same kind of entrepreneurial spirit and innovative spirit that has been such a successful engine to our economy in the years gone by, whether it has been the Silicon Valley or medical technology. The United States can lead again because we have the economy and the talent to get in the front of this parade and to stay there when it comes to job and business creation.

It is also a question of public health. We know global warming is going to create an environment where many will suffer; pulmonary disease, such as asthma, cancers, such as melanoma, are going to increase if we do not get serious about this issue. I think we understand that. For the good of our children and grandchildren, and for our desire to make sure they have better and longer lives than ourselves, this bill is extremely important.

Finally, this whole issue of global warming is an issue that really addresses stability in our world. It is no surprise that some of the tinder boxes—and I do not mean any pun by that—some of the tinder boxes in the world today are countries in desperate straits trying to find water for their people. It is a huge issue in the Middle East. It is also an issue in Africa. When that issue has become its most extreme, we find genocide in Darfur, we find turmoil in other parts of the world and instability. Coming to grips with global warming, stabilizing our global climate, is a way for us to try to bring some peace and stability to this world.

When you think about the parameters of this debate, could you think of anything more serious? How can we face our children and grandchildren if we do not honestly debate this issue, if we do not step up and say: On our watch, at our time, our generation did the right thing?

We cannot undo what has been done in the past, generations gone by, centuries in the past. But we are responsible for now and for the future.

This is our chance to move forward. I beg my colleagues, even if you find differences and difficulties with the bill, let's work together.

Senator WARNER, I am glad you are here. We would not be here without you, and that is a fact. You have shown a bipartisan spirit to address this issue, and you have taken a little bit of grief

from your side of the aisle. Well, trust me, many of us appreciate your leadership on this issue, and it will be long remembered.

In that spirit—Senator WARNER, Senator LIEBERMAN, Senator BOXER, and others—we need to say to future generations: We can come together, both parties, and take on this challenge successfully.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague for his comments. But a short time ago there was a colloquy on the floor, and someone said they felt——

Mrs. BOXER. I did.

Mr. WARNER. There was a slow roll. I immediately went back to consult with my leadership, and that is not the case. The reason for not going to amendments today seems to me to be a valid one; that is, a number of Senators wish to speak. The list is up to 18 now, and they want to speak in such a way that is not feasible if we are in an amending posture.

So I thank the distinguished chairman on this matter because I do believe we have made some progress today. We have had good, constructive speeches. Senator CORKER spoke, Senator ISAKSON spoke on this side, and colleagues on your side. I think Senator KERRY was about to speak.

Mrs. BOXER. He is going to speak.

Mr. WARNER. So I think, Mr. Chairman, we are making some good, solid progress in the Senate and can rightfully take pride in what we have done thus far. Would you agree with me?

Mrs. BOXER. Yes, I do.

Mr. President, I wonder how much time I have left of my time?

The PRESIDING OFFICER. Seven minutes.

Mrs. BOXER. OK. Senator WARNER is speaking on my time, then? Which is fine.

Mr. WARNER. Mr. President, I have nothing further to say.

Mrs. BOXER. No, it is fine. I say to Senator WARNER, I believed we were slow-walking it only because we are so anxious to get to the amendments. But I hear what you are saying—if this is real. We are going to have some good debate today. This is the list of Senators on both sides. This is good.

Mr. WARNER. Mr. President, that would not be possible if we were in an amendment posture. We could not get all those Senators in.

Mrs. BOXER. Well, let me say, I welcome everyone to the floor.

Let me conclude my little part today at this time by saying we have seen the faith communities come out very strongly for the Boxer-Lieberman-Warner bill—the Evangelical Environmental Network, the Evangelical Climate Initiative, the U.S. Conference of Catholic Bishops, the National Council of Churches, the Religious Action Center of Reform Judaism, the Jewish Council for Public Affairs, the Interfaith Power and Light Campaign. These are just some.

I think we have had some very wonderful meetings with them and press conferences with them. The way they look at the world is this: It is God's creation that is at stake, and they feel very moved and very bound to respond. It is rare you see this kind of coalition coming forward. But they look at God's creatures, and they say: We have a responsibility. They look at human beings all over the world who will suffer mightily if we do not get a grip on this global warming because we know, with rising sea levels, we will have refugees who will be stranded. We know in our own country we will have thousands die of heat strokes. We will have many thousands die from vectors and problems of new kinds of amoebas and so on that will now be present in the warmer waters.

We had an incident, and I believe it was at Lake Havasu, where we had some little child who went swimming and got a brain infection, who got that because the waters are getting warmer. So this is not theoretical. It is real.

Here, as shown in this picture, is a beautiful creature, the polar bear and people say: Oh, is this all about saving the polar bear? It is about saving us. It is about saving our future. It is about saving the life on planet Earth. And, yes, it is about saving God's creatures.

I remember sitting just a few feet away, at our hearings, from the scientists who said 40 to 50 percent of God's species could be extinct if we do not act. Now, that is not something we can turn away from, at least in my opinion. Here is this magnificent creature in peril because of the disappearing ice.

I also think we have to remind ourselves that global warming is a national security issue. I know when Senator WARNER became involved in it, it was in great part because of this. A report conducted by the Center for Naval Analysis found that the United States could more frequently be drawn into situations of conflict to ''provide stability before conditions worsen and are exploited by extremists. . . . The U.S. will find itself in a world where Europe will be struggling internally, with large numbers of refugees washing up on its shores, and Asia in serious crisis over food and water. Disruptions and conflict will be endemic features of life.''

Look, this is not a quote from Senator BOXER or Senator KERRY or Senator LIEBERMAN or Senator WARNER, who care about this bill. This is a quote from the Center for Naval Analysis. This is very serious. This is, Implications for U.S. National Security, commissioned by the Department of Defense in October 2003. Here we are in 2008, and we have a long way to go to get this bill done.

So I would say in my remaining few minutes that you are going to hear people come to the Senate floor and say: If we do this bill, it is going to imperil jobs. Well, nothing could be further from the truth.

You look at Great Britain, where they have reduced greenhouse gas emissions by 15 percent since 1990, and their economy grew 40 percent. Mr. President, 500,000 new jobs were created.

The Apollo Alliance here at home said we are going to see thousands and thousands of new jobs created. We have a study of the impacts of California's global warming law: 89,000 new jobs projected. I can tell you right now, we are in a tough time in California because of the housing crisis, OK. A lot of folks being laid off are going to work for the 450 new solar companies that have sprung up in California.

If you look at the top manufacturing States for solar, it is Ohio, Michigan, California, Tennessee, and Massachusetts. So these jobs are going all over America.

Look at all of labor supporting our bill. It is remarkable: the Operating Engineers, the Building and Construction Trades, the International Brotherhood of Electrical Workers. They understand we will be building a new infrastructure for our new energy which is going to result in lower energy prices.

Our local governments support action—the Conference of Mayors; the National Association of Clean Air Agencies; the Climate Communities, which is a coalition of cities, towns, counties, and other communities.

Not only will we see lower gas prices as a result of this legislation, but we are going to see amazing job growth. It occurred in Germany, just as it occurred in Great Britain.

Here we see this group that came together to support us saying: ''Prompt action on climate change is essential to protect America's economy, security, quality of life and natural environment.'' I want to reiterate this. You are going to hear predictions of gloom and doom.

Mr. President, I ask unanimous consent for 20 more seconds to close.

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

Mrs. BOXER. You are going to hear predictions of doom and gloom. But do you know what? Either these folks have not read the bill or they are reading off talking points that were made to start a political fight. We should come together across party lines. We should pass this bill.

I look forward to hearing from the rest of my colleagues.

Before I yield the floor, I ask the Presiding Officer, since we do not have anyone to rebut us, is it possible to go to Senator KERRY at this time? Would that be possible? I ask unanimous consent that we go to Senator KERRY, since we do not have the other side here. Or, actually, I ask unanimous consent to go to Senator LIEBERMAN for 3 minutes, followed by Senator KERRY for 30 minutes.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, the Senator from Connecticut is recognized.

Mr. LIEBERMAN. Mr. President, I thank the Chair, and I thank my colleagues.

I rise to build on something that Chairman BOXER just said about the national security implications of the global warming problem.

Last week I had the privilege to attend an Asian-Pacific Security Conference in Singapore, which is called the ''Shangri-la Dialogue.'' At that conference, there were high-ranking defense officials from just about every country in the Asian-Pacific region, large or small. I noticed on the schedule of meetings there was a session on climate change. So this intrigued me because, again, this was a defense group, an international security group.

I went to the conference, and it was quite something. Our friends in the Asian-Pacific region are deeply concerned about the possible consequences of global warming and anxious that the world unite to protect them and us from the worst of it. A gentleman leader in the Defense Department of Singapore said they have begun to negotiate with European experts in the construction of dikes, because they think if they can build adequate dikes, they can probably withstand a rising sea level which they believe will happen—probably will happen, according to the best science—of a meter. But if the water rises above a meter, their leaders have concluded that as much as a third of Singapore could be under water. There was a gentleman there from the Defense Department of Bangladesh who said they are beginning to try to make plans for confronting a migration of as many as 5 million people in Bangladesh who will be forced by rising tides to leave their homes—5 million people.

Now, I say by reference, we don't think about those extraordinary effects of global warming, but if seas rise—to say the obvious, the United States has enormous coastlines and our low-lying areas will be subject to consequences that could be severe to the way of life of the people there. There has been a trend in our country of people moving to the coast, millions and millions and millions. If we don't do something about global warming soon, the life they lead will be severely compromised, and that is what this bill is all about—trying to avoid that.

I thank the chairman, Senator BOXER, for stressing that this is not only an environmental protection bill, this is not only an economic growth bill; this is a national security bill.

I thank the Chair, I thank my colleague, and I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair. Let me begin by thanking first Senator BOXER for her unbelievable leadership in this effort, as well as Senator LIEBERMAN and Senator WARNER, all of whom have worked diligently on the Environment and Public Works Committee. As everybody knows, there are some shared committee assignments with respect to this issue—the Commerce Committee and the Energy Committee—but I think there has been a superb effort of bringing everybody together under one roof, and that has largely been because of Senator BOXER's determination to get us to this point.

We are here to debate what is absolutely—and it is interesting. We hear it from colleague after colleague on the other side of the aisle. They say: Oh, yes, we have to do a global climate change bill; yes, this is a critical issue. Then they add the caveat: But not this bill, not this time; then not providing a genuine effort or alternative to say this is how it could work.

It is also interesting to note there has been a huge shift in America with respect to this issue. Major Fortune 500 companies support the fundamental underlying precept of this bill. They haven't necessarily all landed on this bill yet, but they support the notion that we put a market-based mechanism in place whereby the marketplace will decide how rapidly and how each individual company will decide to reduce its emissions. What is important here is that we are creating a framework—and not a new framework. This is not something sort of brought out of the sky untested that is a new theory. We have been doing this since 1990 when we passed the Clean Air Act and successfully reduced sulfur dioxide, the cause of acid rain, and successfully reduced it at about a quarter of the cost that most of the naysayers predicted.

So I think our colleagues on the other side of the aisle frankly come here with a particular burden of proof. They have been wrong over the course of 25 or 30 years. They have been wrong when they opposed water treatment facility efforts at the Federal level, when they opposed air quality treatment at the Federal level, and each time when we have proceeded forward because we had forward-leaning leadership, Republican and Democratic alike—it is important to note that the Clean Air Act was reauthorized under President George Herbert Walker Bush, who understood the importance of moving forward. So we have shown that this mechanism, which was created to deal with acid rain, works. It is the law of our land today. The marketplace is doing it today. Companies are participating in this today. This is a proven mechanism whereby the marketplace—not the Government—will decide at what rate and who bears what burden and people are free to choose within an economic benefit how they proceed.

What is at stake today is whether Washington and this institution can rise above partisanship and break with the old entrenched interests and finally start to come together to solve what is undoubtedly the most urgent and profoundly complex challenge we face—how we protect this planet we live on. We have been down this road before. Twenty years ago I participated in the first hearings that were ever held in the Senate which Al Gore—then Senator Gore—chaired, with several other Senators, and we looked at this issue of climate change in the Commerce Committee. Ever since then, the story at the Federal level has been one of disgraceful denial, delay, back-scratching for specialized interests, and a buck-passing that has brought us perilously close to a climate change catastrophe. We have witnessed a failure of leadership in our time, and here on the floor of the Senate this week, at this moment—now—we Senators have the ability to reverse that.

Today, all of the scientific evidence—I am not going to say too much about it, but I cannot sort of frame this debate for the next days without saying something about it—all of the scientific evidence is telling us we can't afford to delay the reckoning with climate change any longer. All of the science is already telling us we have waited too long. Since the start of the Industrial Revolution, atmospheric levels of carbon dioxide have increased from 280 parts per million to now 380 parts per million. Today, we know not as a matter of guesswork—we know as a matter of scientific fact, incontrovertible fact—we know the atmospheric carbon levels are higher than they have been at any time in the past 800,000 years. How do we know it? Because scientists have been able to bore down into ice core and measure the carbon dioxide levels that have been preserved in the ice over those years, as well as other time-measuring mechanisms. That accumulation translates into an increase in global temperatures of about .8 degrees centigrade.

Now, because this carbon dioxide that we put up into the atmosphere has a life—it continues to live—as nuclear materials have a half life of thousands of years, carbon dioxide has a life of anywhere from 80 to 100 years. So what we have already put into the atmosphere will continue to do the damage it is already doing, unless somehow, by a miracle of science or a miracle, there is a method discovered in order to go backwards. So we are looking at another .7 to .8 degrees of temperature increase that we can't stop. That brings us to about 1.4, 1.5 degrees of centigrade increase.

Why is that figure important? I will tell you why that figure is important. Because there is a scientific consensus of thousands of scientists across the planet that is telling us that as a matter of public policy, to avoid the potential of a tipping point—they can't tell us with a certainty that the tipping point is at 1.9 degrees or 2 degrees or 2.3, but they are telling us that their best judgment is that to avoid a tipping point of catastrophe on the planet, we must hold the temperature increase of the Earth to 2 degrees centigrade and to 450 parts per million of greenhouse gases. So we are looking at now being at 380, we have a cushion of going to 450; we already know we have

risen 100 in the Industrial Revolution, but the Industrial Revolution didn't have China and India and the rest of the world industrializing as it is today. So we are staring at the potential of a much greater input of carbon dioxide, much greater input of greenhouse gases unless we take steps now, with the United States leading, in order to lower the levels of emissions and ultimately stabilize them at a level that is sustainable in terms of the science of our planet.

Two weeks ago I brought several of our country's top climate scientists to brief us in advance of this debate. Now, those scientists—scientists are by profession conservative people. They have to be. If you are going to be accepted as a top scientist, your reports are peer reviewed, they are analyzed, they are looked at by others in the same field and judged as to their methodology and the conclusions they draw. The fact is we have something like 920 peer-reviewed reports, all of which say we have to do what we are seeking to do here on the floor now. And there isn't one report—not one peer review—to the contrary. There is not one report that suggests humans aren't doing what we are doing and that we don't have to stop doing it now or face the potential of catastrophe.

The fact is these scientists also told us that what they predicted 2 years ago, 3 years ago, 4 years ago is completely eradicated now by the rate at which the evidence from Mother Earth herself is coming back. Earth is telling us that we are now seeing a degradation at a rate that is far greater than those scientists predicted. In fact, the science projected a general decline in the Arctic Ocean in 2001. Well, guess what. The 2007 IPCC Report sounded significantly more alarm bells, saying:

> Late summer sea ice is projected to disappear almost completely towards the end of the 21st century.

Less than a year after that report, in January of this year, another report found that a seasonal ice-free—ice-free—Arctic Ocean might be realized as early as 2030. I am told that the scientists who study this topic now believe it could even happen sooner, but that is what they are comfortable telling us publicly. Scientists are observing a 30-percent increase in the acidity of oceans with a devastating impact on ocean life, literally destroying the ocean food chain from the bottom up. Scientists project that 80 percent of living corals will be lost in our lifetime. The impact of the acidity—the acidity, for those who don't follow it, comes from the greenhouse gases. We put them up in the air, they travel around the world, they rain, it gets into the clouds, rains and comes down into the ocean, or spills as particulates into the ocean. The result is that acidification reduces the ability of crustaceans in the ocean to form their shells. So starfish, lobsters, clams, crabs, coral reefs, all of these things that rely on their ability to form shell are threatened as a consequence of the increase of acidity in the oceans.

What is more, scientists know that the oceans act as a storage center for carbon dioxide. In the jargon of global climate change, it is called a ''sink'' because the carbon dioxide sinks into it and disappears. What we know is the oceans do this. What we don't know is where is the kickback point in the oceans. When are the oceans full and they start to spit it back out because they can't contain it anymore? Well, I tell you what: Sound the alarm bell. Because scientists in Antarctica found that that is already happening; that there is a regurgitation of carbon dioxide in the Antarctic they didn't anticipate and which now sends warning signals about the rest of the oceans.

Even the Bush administration's own top scientists last week laid out a chilling assessment. They said the following: Floods, drought, pathogens and disease, species and habitat loss, sea level rise, and storm surges that threaten our cities and coastlines are what we are looking at unless we begin to reduce the global greenhouse gases.

The effects of climate change are now apparent on every single continent. It is being witnessed in very tangible and unexpected ways. For instance, if you are a hunter in South Carolina and you like to go duck hunting, today the only reason South Carolina has real duck hunting to offer is because of farm ducks, not because of the migration that used to take place. It is the same thing in Arkansas, with the population of the waterfowl that is significantly reduced. The Audubon Society has reported a 100-mile swathe of migration of vegetation, of growth. In Alaska, we are seeing millions of acres of spruce destroyed by beetles that used to die because of the level of the cold, but Alaska has warmed more than any other part of the United States, and the result is they now infest those trees. There are consequences that none of us can even properly define or imagine. But prudence dictates that, knowing this is the course we are on, we need to do something about it. We need to do something about it now.

The instability of the permafrost, increasing avalanches in mountain regions, and warmer and dryer conditions in the Sahelian region of Africa are leading to a shortening of growth seasons. Yesterday, there was a huge meeting of the U.N. to discuss food shortages taking place in various parts of the world. Up to 30 percent of plant and animal species are projected to face extinction if the increase in global temperature exceeds 1.5 to 2.5 degrees Celsius.

The impacts are not limited to species and ecosystems. Last week, the U.S. Department of Agriculture released a new study projecting that the rise of concentrations of CO_2 in the atmosphere will significantly disrupt water supplies, agriculture, forestry, and ecosystems in the United States for decades to come. By midcentury, anticipated waterflows in much of the West is going to decline by an average of 20 percent. Already in the West—to listen to our Senators from the West talk about the drought and the problems they have of lakes that are now drying up—all these are concerns we need to address here.

The same report says that, by 2060, forest fires and the seasonal severity rating in the Southeast is projected to increase from 10 to 30 percent and 10 to 20 percent in the Northeast. The impact on infrastructure will be severe. In March, the U.S. Department of Transportation found that the projected sea level rise in the gulf coast would put substantial portions of the region's transportation infrastructure at risk. Storm surges in the gulf coast will flood more than half the area's major highways, almost half the rail miles, 29 airports, and virtually all ports.

The question before the Senate now is, How do we turn this prediction of danger into opportunity? And it is opportunity. I don't think to anybody it is ''pie in the sky'' when they think about the possibilities of what we can do for our health as a nation, for our environment, for our obligation to future generations, for our security, for our energy policy, and for the price of gasoline. All these things can be driven in the right direction if we make the right choices in the Senate in this next week.

The fact is the Climate Security Act that Senators BOXER, LIEBERMAN, WARNER, myself, and others bring to the floor is a bill that puts us on the right path. No one agrees with every compromise that is made in this bill. We all understand that. We all agree on the importance of action, though. We all agree on the importance of getting something done now.

This is a strong and flexible piece of legislation. It will reduce the emissions, the gases, the carbon dioxide that creates global warming by 19 percent by 2020 and 71 percent by 2050. That will lead to an overall reduction that meets targets well within the range of the reduction that scientists tell us is necessary to avoid catastrophic impact on climate change.

In the next days, I hope we can work with our colleagues. If you have an objection to the bill and you have a better way of coming about it, that is what we are looking for. That is legislating in the best tradition of this institution. What we don't want to do is have people come to the floor and say this is the most important issue, we have a better way of doing it, but the better way never appears. It is never framed in an appropriate amendment that seeks to do other than kill the bill. We have the ability to be able to frame this in a responsible way.

I have concerns and others have concerns that the cost-containment auction, when coupled with the borrowing and offset provisions—I wish to make

sure it has the potential to lower the target in the early years of the program. I don't want to see us avoid responsibility for years to come. So I hope to work with the bill's authors, and maybe we can develop a mechanism to make sure we maintain the short-term targets as directed by the scientists, while at the same time providing adequate cost certainty. But the overall structure of this bill provides important incentives to create a clean energy economy in our country. It directs auction proceeds—and this is important to understand. This is not a bill that goes out and taxes Americans and says you have to pump a whole bunch of money into the Federal budget so the Government can do something. That is not what happens here. This bill creates a marketable unit of reduction of carbon dioxide. By providing that, people will be able to buy and trade in those units. The money that comes from that purchase and trading is money that is then directed to help States make the transition, to help soften the transition for companies, to help provide the technology and the research and development that speeds us down the road to the creation of alternative and renewable fuels.

There are only three ways to deal with global climate change. One is to move to alternative and renewable fuels. Two is to come up with a way of having clean coal technology quickly. Three, it is through energy efficiency mechanisms.

The United States is literally the worst of all participating nations at this point, in terms of energy efficiencies. You can travel to Europe or to Asia and go up to an escalator and it is not working and you think you have to call somebody to fix it, but when you get near it, the escalator starts to move. When you get off and nobody else is coming, it stops. That is energy efficiency. We don't do that. Ours turn 24 hours a day, no matter whether people are there—unless they are turned off. It is the same thing with lights. When you walk out of a hotel room in some other places and it is dark and you shut your door, the lights go on. As you walk down the hallway, lights go on in front of you and off in back of you. When you get onto the elevator, the lights go out. We don't do that. There are countless efficiencies we can put into buildings, fleets, automobiles, and into the use of energy. The McKinsey report—that company is a well-respected profit-making company in America—tells us that we can get anywhere from 40 percent to 75 percent of all of the savings we need in order to deal with this crisis just from energy efficiency.

What are people waiting for? If we moved down that road, we would be doing better than by doing nothing. This bill provides very important incentives to capture and seek restoration of carbon itself. It targets $14 billion to expedite the near-term development of these facilities. It focuses on the need to support communities here and abroad, in order to adapt to the problems of climate change.

I wish to highlight the fact that $68 billion in this bill is devoted to reducing emissions from deforestation. A lot of people don't realize that cutting down forests is one of the biggest contributions to carbon dioxide. Deforestation and forest degradation is an enormous contributor that we have to turn around. Many of us wish the number was more, but we think it is enough to be able to get moving and start down that road and have an impact.

My colleagues on the Foreign Relations Committee hope to address this issue in greater depth because deforestation accounts for 20 to 25 percent of global emissions. We need to help other countries move in the right direction.

When you look beyond the details of the allocation formulas and the offset verification procedures, this bill sends a critical message to our economy. I have spent a lot of time, as have the chairman and Senator LIEBERMAN, meeting with businesses across the country. I have talked to the Business Roundtable. I have met with the U.S. Climate Action Partnership companies. These are Fortune 500 companies, such as Dow Chemical, DuPont, British Petroleum, American Electric Power, and Florida Power and Light. While they don't all agree with every piece of this bill yet, they all agree they want the Congress to pass a program where we are helping the marketplace to solve this problem by creating a system where you trade these units of carbon dioxide reductions and where you have a cap on the total level of emissions in order to push people to go out and adopt this program.

What this program does is provide certainty to the marketplace. If you talk to those on Wall Street today, they will tell you what they want is certainty. They want to know what is the pricing of carbon. This allows the marketplace to adjust and set the price of carbon. It allows the marketplace to come up with the mechanisms and indeed drives a lot of venture capital money into the efforts to create the alternative renewable fuels that are the better long-term economic responses to global climate change and to the imperatives to reduce emissions.

In addition, let me say my colleagues, with all due respect, have continually overestimated and overstated what the costs of doing this would be. I wish to refer back to the acid rain debate. I was part of those negotiations. I remember sitting in a room off the Senate floor with former Senator George Mitchell, Bill Reilly, JOHN SUNUNU, and others, and we negotiated. The very people who today stand up and say don't do this, it is going to cost too much, are the same people who, in 1990, said don't do it, it will cost too much. They came in with industry-driven figures. The industry-driven figures said it is going to cost $8 billion and will take 8 years, and you are going to bankrupt America. To the credit of George Herbert Walker Bush, he didn't buy into those figures; he accepted the figures of the environmental community, which came in and said it is not going to cost $8 billion; it will be about $4 billion and it will take about 4 years. To the credit of President Bush, we did it. They were all wrong because it cost $2 billion or so and took about 2½ years. It was 25 percent of the cost that was predicted. Why? Because nobody is able to predict what happens went the United States of America sets a national goal and we start to target our technology and innovation and move in a certain direction.

What I am hearing from our venture capitalists and scientists is they are already moving in that direction. They are already exploring unbelievable alternative fuels. If this passes, we will create much more incentive and energy behind that race to find those alternatives. I predict there will be two or three ''Google'' equivalents created in the energy field in the next 10 to 15 years if we pass this bill and start moving in this direction.

There are plenty of economists out there to document what I said. Nicholas Stern, former chief economist at the World Bank, said the investment of 1 percent of GDP can stave off a 5- to 20-percent loss of GDP. So when colleagues say to us don't do this because it is going to cost too much, they don't ever tell you it is going to cost more not to do it. It is going to cost us much more not to do it. Every year we delay and wait, we drive up the curve of what we have to grab back to reduce in order to meet the target goals. So, in effect, delaying will make it more dangerous, as well as more expensive, because you are going to have to grab back more and faster in order to make up the difference. Frank Ackerman at Tufts recently updated the Stern model. He found that four global warming impacts alone—hurricane damage, real estate losses, energy costs, and water costs—will come with a price tag of 1.8 percent of U.S. gross domestic product, or almost $1.9 trillion annually, by the end of the century. Bill Nordhaus, at Yale University, and Robert Samuelson, of the Washington Post, might take issue with some of Stern's methods, but the larger point is there; that those are huge figures, much bigger figures, being quoted on the downside of not doing anything rather than the cost of doing something.

In the end, addressing global climate change is going to be good for American business, and those businesses that are supporting it understand it is going to be good for American business. We can actually market our technologies. We can get involved in technology transfer with other countries. We can rejoin the global community in an effort to act responsibly. Once we put a cap on carbon, we can expect an explosion of new technologies which will take advantage of that new market.

The fact is, I think that is one of the most exciting things I have run into. I met recently in Massachusetts with 45 Massachusetts green energy companies. We have companies that are taking construction waste right now and they are turning construction waste into clean fuels and selling electricity. That could spell the end of dumpsites as we have known them in America, of landfills if we take that product and turn it into energy that is clean.

We have a battery manufacturer in Watertown, MA. That battery is powering a car for the distance of 40 miles of travel. The length of the average American commute is 40 miles. So if we were to push these batteries out in the marketplace, the average commuter in America could go through the entire day barely touching a drop of gasoline. People today who cannot fill up their tank completely because their credit card shuts off would all of a sudden be filling it up once a month or more. That is the future of America.

The price of fuel is going to go down because, in fact, this bill lowers our imports by almost 8 million barrels a day. If we do that, it is inevitable that we will be paying less money and lowering the price of gasoline. The fact is, to not do it is to see a continued increase at a rate the American people cannot afford.

I mentioned this in the caucus earlier today. I met a week ago with Dr. Craig Venter, who is the person in the private sector who did the mapping of the human genome. They are taking the knowledge they now have from the mapping of the genome and are using that to apply it in biology, to synthetic biology where, through certain microbio processes as well as through photosynthesis, they are now taking carbon dioxide and using it as a feedstock for the creation of new fuel. If that works, that is just a total game changer—a total game changer—if we can actually take carbon dioxide, which is the biggest problem we face with respect to global climate change, and turn it into something that is positive in a fuel alternative.

There is more to say on this issue. There will be more to say in the next days. I look forward to this debate.

Mr. President, I ask unanimous consent for 5 additional minutes.

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

Mr. KERRY. Mr. President, in 2006, the renewable sector of energy in America generated 8.5 million new jobs, nearly $970 billion in revenue, over $100 billion in industry profits, and more than $150 billion in increased tax revenues at all levels of government.

One study found that with a serious commitment to an aggressive clean energy strategy, we could create 40 million jobs and $4.5 trillion in revenue by the year 2030, which is not even the end of the period this bill seeks to address in terms of reductions. We can create millions of jobs at every single level of our economy. We can create jobs for scientists, jobs for professors, jobs for people in the software and computerware business, jobs that come all the way down the food chain in terms of every aspect of American life and particularly in the infrastructure and construction industries where we would be building the new plants and new facilities and the new delivery systems for all of this technology.

This is the future. This is the future we can see because we have been there before. The United States has transitioned in fuels before. We used to do everything by burning wood, and then after we burned all the wood around our cities and learned we could not do it anymore, we discovered oil. We used to use whale oil from Nantucket, MA, and lit most of the streets in New England. Then we moved to a mix of items, including hydro, coal, even nuclear ultimately.

We are in that next transition now. I remind my colleagues that one of the sheiks who helped organize the oil cartel years ago said the stone age did not end because we ran out of stones, and the oil age will not end because we have run out of oil. The oil age will end because global climate change and global warming are sending us a message about what is happening to this planet.

We have a God-given responsibility. You can read Genesis or Isaiah or any of the other parts of the prophets, and there are enough references to our responsibilities as individual human beings to be the guardians of the Earth, to protect this creation. That is why many Evangelicals and others are supporting this bill, because they understand that responsibility. Anybody here, whether they are religious or not, ought to understand the fundamental responsibility we have not to see 30 percent of the species wiped out and whatever possibilities of disease cures with any one of those species as yet undefined and untested.

This is the greatest challenge we are to face. We are staring in the face of opportunities where the United States has the ability to strengthen our economy, provide more jobs, save fuel, provide alternatives for people, reduce the cost of day-to-day life, and, in the end, live up to our responsibilities as legislators.

I remind my colleagues of what President Kennedy once said of the race to the Moon when he challenged America to go there. There were a lot of doubters and a lot of people who thought it was a pipe dream. President Kennedy himself was not absolutely certain, did not know for sure we could do it, but he believed in America. He said this is a challenge we are willing to accept, one we are unwilling to postpone, and one which we intend to win. And he said we have to do it not because it is easy but because it is hard. That is the kind of spirit this Congress and this Senate ought to show now. This issue is a lot easier, frankly, than going to the Moon, and the United States has proven we can do the former. Now we need to do what we can to reduce the emissions that create global warming and threaten all of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, in dealing with climate change, there are certain principles I always apply in assessing the approach to this issue. One is that our Nation will continue to need and depend on fossil fuels. Fossil fuels must be a part of any effort to achieve a cleaner energy future. There is no way we can get there without them. No. 2 is a strong American economy, one that creates jobs, that creates new technologies. That is critical to developing the tools we need to capture and sequester carbon. China and India will not address carbon emissions until such technologies are developed. And No. 3, we cannot afford to hurt the very regions, the very industries, and the very workers who will provide that technology through hard work and innovation.

In terms of economic impact, I have serious concerns with the Lieberman-Warner approach as currently written. According to a recent study done by the National Association of Manufacturers, the negative economic impact to the Rocky Mountain West and to my home State of Wyoming is very real and significant. The impact is perhaps the greatest in terms of high gasoline prices for folks all across the Rocky Mountain West. Gasoline prices for western families will increase significantly under this bill.

Every day, folks in the Rocky Mountain region are going to have to drive long distances. They do it to get to work. They do it to shop for food. They do it to go to school. The distances, in many places, are much greater than they are in other parts of the country. My home State of Wyoming ranks at the top of the list of all the States in terms of vehicle miles traveled on a per capita basis. I drive these roads every weekend visiting folks in Gillette, Riverton, Cheyenne, and Casper. They are hours apart. Westerners are rightfully upset about how much they are paying at the pump. I am sure my colleagues' constituents are too. Letters come in every day from all across Wyoming asking when Washington is going to help them. Yet we hear in testimony from the Energy Information Agency that gas prices under this bill could go up anywhere from 40 cents to $1 a gallon. Others are predicting it could go up even higher than that. Whichever estimate you choose, whichever one you choose to look at, gas prices are going to go up under this bill.

Why will it be even worse in the Rocky Mountain States? Partly because the West and Rocky Mountain West rely on small refiners for their fuel. It is not uncommon in the Rocky Mountain West to have the local gasoline station in these small towns be

just across the road from the small refiner. Towns depend on these refiners for their fuel. They provide the fuel for the families of the West. Without the small refiners, Wyoming and the Rocky Mountain West would have to ship our gasoline in from out of State.

The small refiners do not fair very well under this bill. They have to compete with the large refineries for a small portion of the allowances. Without additional help, they will go under and an entire region of the country will pay even more significant increases in the price of their fuel.

Some may try to lump small refiners in with the big oil companies that actually produce the oil. The small refiners have to buy their oil from that oil producer. These small refiners are paying $125 to $130 a barrel for oil, and it is having a devastating impact on them. Some have suggested that they simply pass along the cost to the consumer. Tell that to the folks in the West who are already being punished at the pump.

This part of it is not a partisan issue at all. I plan to offer an amendment I am working on with Members of both sides of the aisle——

Mr. KERRY. Will the Senator yield for a question?

Mr. BARRASSO. I will yield, if I may, at the end of the presentation.

I want to work with others to offer this amendment because this affects everyone in the Rocky Mountain West.

Gas prices have reached the point where people are simply driving less. Family vacations and school field trips are being canceled. People are working 4 days a week but longer hours each day. Why? Because of the high cost of fuel.

Some may say: Great, we want people to drive less. Some may say: Hey, have your constituents take alternative transportation, public transportation, such as the subway or bus. As many of you know, we in the West have spectacular, majestic rural areas that many of you enjoy on your vacations. We ask you to come and visit our national parks, our many State forests and monuments. But these majestic natural places come with a cost: there is no subway.

High gasoline prices are just one of the many major negative economic impacts to the West under this bill. Job loss is another major factor. The National Manufacturers Association study projects that Wyoming would lose between 2,000 and 3,000 jobs by 2020 and double that by 2030. Montana would lose between 4,000 and 6,000 jobs in 2020, double that by 2030. Utah would lose 10,000 to 15,000 jobs in 2020, double that by 2030. The numbers in the West go on and on. What kinds of jobs will be lost? Jobs in the energy sector, jobs that pay well, jobs with pensions, jobs with health insurance—the kinds of jobs we should be protecting in this country.

Westerners are being told by the supporters of this bill: Don't worry, green-collar jobs will replace the jobs lost in the West. Where is that written? What guarantee can you point to in this bill that a family in Gillette or Laramie or Riverton or Cheyenne is going to get a green-collar job? And what is a green-collar job? Will they get the job the minute they lose the one they have now? How long will they have to wait? Will they have to uproot their family and move to find work? Where is it written in this bill that the pay and the benefits of the so-called green-collar job will be equal to the job the bill takes away? The reality is it is not written anywhere.

In terms of energy costs, the situation is not very good for the Rocky Mountain States. Wyoming is among the top five States in what are called heating degree days. That is a measure of what it takes to heat a home all throughout the year. If you have been through a Wyoming winter, you would understand why. The most vulnerable people in my State, the seniors, people on fixed incomes, cannot afford to have their energy bills increased.

Why are we asking people all across the country to pay more of their hard-earned dollars on high gas prices and energy prices in this bill? I frankly cannot answer that, except to say, That is Washington for you.

But it gets worse for Wyoming. According to a National Association of Manufacturers' study, Wyoming coal would face a severe decline. That too would result in lost jobs, broken family budgets, and displacement. As I have said, fossil fuels, including coal, are vital to our energy security. We need to make them cleaner because they will remain a vital part of America's energy mix. Clean coal technology is still a work in progress. It will take time to perfect. The men and the women of Wyoming who are the backbone of the coal industry are essential to providing clean coal technology to America.

America simply cannot tolerate the lost jobs and the high energy prices that will come from dramatic decreases in coal production under Lieberman-Warner. As I stated in the beginning, we need to have a strong economy. We need an economy that creates jobs and fosters innovation. That is how to provide the clean energy technologies we need.

It is not only the Rocky Mountain West that is going to be hard hit by this legislation. The Energy Information Agency testified before the Memorial Day recess in the Senate Energy and Natural Resources Committee that the larger price impacts occur from Lieberman-Warner in those regions of the country that are most reliant on coal. So that is also the South. It is also the Midwest. That is rural America.

The median income in Wyoming is $46,000 a year. Wyoming family budgets are predicted to lose between $1,000 and $3,000 a year in income over the next 13 years and double that by 2030 under this bill. Many families in Wyoming would have to dedicate $1 out of $5 from their family budget for energy costs under this bill. This is what rural America can expect under this bill. Sadly, it appears the impacts of the bill hit lower income families the hardest. It doesn't have to be this way. I truly believe we can address climate change. There are better ways and more economically friendly approaches, and those ways that can make a real difference.

Earlier this year, I introduced legislation to address climate change. I believe overlooked in the debate are greenhouse gases that are currently in the atmosphere—the gases that are currently contributing to the warming of the planet. The best science tells us it is a factor. To what extent, we are not sure. It would seem to me a worthy approach to find a way to remove existing greenhouse gases from the atmosphere and permanently sequester them. This is the other end of the problem. Now, to accomplish this, we are going to need to invest the money to develop the technology. The approach my legislation takes is to address this through a series of financial prizes, where we set technological goals and outcomes. The first to meet each criteria would receive Federal funds and international acclaim. The prizes would be determined by a Federal commission under the Department of Energy. The commission would be comprised of climate scientists, physicists, chemists, engineers, business managers, and economists. They would be appointed by the President, with the advice and consent of the Senate. The awards would go to those, both public and private, who achieve milestones in developing and applying technology, technology that could significantly help to slow or to reverse the accumulation of greenhouse gases in the atmosphere. The greenhouse gases would have to be permanently sequestered, and sequestered in a manner that would be without significant harmful effects.

I believe this approach is only one example of how we can tackle the problem of climate change in an economically acceptable way without sacrificing real progress. I hope as we begin this debate on this issue, more Members of this body embrace approaches that address climate change while protecting jobs, family budgets, and the industries we count on today.

I have repeatedly asked questions during the hearings in both the Environment and Public Works Committee and the Energy and Natural Resources Committee on this bill about what the impact will be on my home State. To date, I have not been able to get a straight answer. I am relying on the State-specific numbers that we have available. If you don't like the National Association of Manufacturers' numbers, then try the Heritage Foundation. The Heritage Foundation is predicting major job losses in the Rocky Mountain West. The study says

Wyoming will lose 1,100 jobs by 2025, and Utah will lose over 5,000 by that same year, with Montana losing 1,800. Most of those will be manufacturing jobs. And those are the numbers that predict job losses even if everything in the bill goes according to plan, including full implementation of clean coal technology.

It is important to note that gas prices nationally will go up 25 percent under Lieberman-Warner, according to the Heritage Foundation. Another source, the Energy Information Agency, testified at the Energy and Natural Resources Committee and said gas prices would go up 40 cents to $1.

As Americans, we have always looked within ourselves for solutions. We have always had confidence in American ingenuity and American creativity to deal with the challenges of the future. Yes, we want to protect our environment; and, yes, we want a strong economy. It just so happens that the one does rely on the other.

It has been said that the environmental movement in the United States was born out of America's prosperity. Americans who had benefited from post-World War II prosperity began to become more concerned with clean air, with clean water, and with land management. Since then, a prosperous America has also been an environmentally conscious America. Nothing could be more true in terms of addressing climate change. Let's keep our economy strong, let's use our untapped human potential and American spirit to develop the technological solutions we need.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. KERRY. Mr. President, does the Senator still have time?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KERRY. I understand we have 5 minutes; is that correct?

Mrs. BOXER. Why don't you take 2 minutes.

Mr. KERRY. I ask the Senator, first, is he aware that the National Association of Manufacturers' report allows for zero technological advances; that it has no technological advances taken into account whatsoever? Does the Senator believe, in fact, the United States is not going to make any technological advances in the days ahead?

Mr. BARRASSO. Mr. President, every study—every study—points to lost jobs and higher energy prices, higher gasoline prices, whether it is the Heritage Association or the National Association of Manufacturers. I have looked at study after study after study. I have read the books and visited with experts around the country and around the world, and everything I am seeing and reading takes me in that direction, and that is that gas prices will be going up and jobs will be lost.

Mr. KERRY. Mr. President, again, it is not true that every study says that. In fact, the EPA study itself comes out with about a .04 change in GDP at a time when the GDP is going up 97 percent according to our own administration. So it is simply not accurate to say that every report says that.

Secondly, I wish to know on what scientific study the Senator bases the notion that we are going to get the carbon dioxide out of the atmosphere in time to be able to deal with the predictions of what is happening, which require us to move immediately to deal with emissions. Could the Senator tell us what scientific report says we can get it out in time to meet this challenge? And does the IPCC, the 2,000 scientists who have been working on this for years now, suggest that is an alternative?

Mr. BARRASSO. Mr. President, that is why I introduced the GEAR Act earlier this year and gave a speech from this Chamber at this desk talking about giving the same kind of prizes that allowed people 500 years ago to understand longitude so ships could sail the seas; the same kind of prizes Charles Lindbergh was searching for when he flew across the ocean. It is those kinds of prizes and incentives that say, Let's get our best minds working on this. I don't know what the timetable is. I have talked to the scientists, and I say, Let's put in incentives, and that is why I brought that bill.

Mr. KERRY. The answer is, there is no study. The answer is, there is no serious scientist who is suggesting we can meet the needs of global climate change and conduct some long-term analysis of whether we can get it back out of the atmosphere. It doesn't exist. It is nonexistent.

Secondly, the analysis used by the National Association of Manufacturers has a skewed oil price which completely cooks these numbers; and it is a report which has no allowance whatsoever for any technological advancement. That is not representative of the United States of America when we talk about the technologies I talked about. Moreover, they are the same people who came in in 1990 with those crazy predictions of what it was going to cost us to do the other.

I think the people who relied on people who were wrong years ago have a bigger burden of proof to come to the floor now and show us they have a study that actually makes sense.

Mrs. BOXER. Mr. President, I was hopeful to have 5 minutes, and I know Senator INHOFE is going to take a lot of time to rebut, so I ask unanimous consent to take 5 minutes now.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 5 minutes.

Mrs. BOXER. Mr. President, I have to say it is amazing to me how a Senator from a place that is almost ground zero on global warming could stand up here and be so negative, very unlike his Governor.

I ask unanimous consent to place in the RECORD the testimony of the Hon. David D. Freudenthal, Governor of the State of Wyoming, before the House Select Committee on Energy Independence and Global Warming.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TESTIMONY OF THE HONORABLE DAVID D. FREUDENTHAL, GOVERNOR, STATE OF WYOMING, BEFORE THE HOUSE SELECT COMMITTEE ON ENERGY INDEPENDENCE AND GLOBAL WARMING

GREETINGS

Mr. Chairman, distinguished members of the Select Committee thank you for the opportunity to appear before you and comment on the future of coal under carbon cap and trade. This is really a discussion on carbon management, more particularly carbon capture and sequestration, which inevitably leads to a discussion of the role of coal in fueling the American and international economy.

WYOMING IN CONTEXT

Please allow me to place my comments in the factual context of Wyoming as a state committed to both energy production and environmental protection. I find people in Congress are most familiar with our two national parks—Yellowstone and Grand Teton—and our role as the leading coal producing state in the nation with production of 446 million tons of low sulfur coal in 2006.

What is generally not as well known are the other forms of energy Wyoming produces. Depending on the day of the week and the mood of our friends in Oklahoma, we are either the second or third largest natural gas producing state in the country with annual production a bit over two trillion cubic feet or about 10% of the domestic supply. Wyoming has for several years been the largest producer of uranium in the country with approximately 2 million pounds a year of yellowcake (uranium concentrate) produced. We currently rank in the top quartile of states in wind generation, and have an estimated 8,000 megawatts of developable wind when the transmission constraint is released. Two projects have been announced recently which will add approximately 200 megawatts of capacity and at least 10 wind power projects are in various stages of review and development with state regulatory agencies. We produce about 53 million barrels of oil annually placing Wyoming in 7th place among the states.

Put another way on a net BTU exporting basis, subtracting state consumption from state production, Wyoming is by far the largest energy exporting state in the nation providing about 10 quadrillion BTUs or roughly 10% of the country's energy supply. [See attached graphic]

COAL IN CONTEXT

My purpose today is not to argue, but to recognize some fundamental realities.

Like it or not, coal is going to be used in America and the world for some time to come. Even without any new coal fired plants there are 1,522 existing generating plants consuming over one billion tons of coal per year. Over the next twenty years, new and replacement generating capacity is forecast at 292 gigawatts, the equivalent of 25 coal-fired power plants each year. While conservation and efficiency programs are forecast to make a real dent in the rate of growth of electricity consumption, we are going to need every form of energy we can harness including clean coal, natural gas and renewable resources. Non-hydro renewable resources of wind, solar and geothermal meet less than 1% of our energy needs today. Fossil fuel sources provide over 80%. For the

foreseeable future, carbon based resources are a necessity if we want to keep the lights on. Hence, any serious carbon management effort must include aggressive support for carbon capture and sequestration.

WHO PAYS?

Without question, long term carbon management is going to cost a lot of money. Private and public sector investment will be redirected and those costs will ultimately fall to taxpayers and consumers. Carbon capture and sequestration will also consume significant energy in the capture processes, compression and transportation which of course will add to operating costs. It would seem an appropriate policy goal then to pick those processes most likely to yield the greatest effectiveness at least cost to the consumer/taxpayer.

Consumer energy costs are not a trivial matter in my state. A recent analysis we completed suggests that the lowest income quartile, those households earning less than $25,000 per year pay about 16% of their income for energy. Those in the highest quartile pay on average 2–3% of their income for energy. So those that can least afford it. pay 7 to 8 times as much a portion of their income for energy as most of us in this hearing room. Imagine what happens if the cost of energy rises 15, 20 or 25 percent and that differential begins to rise exponentially. In my small state that would affect over 51,000 households or 25% of my constituents. That means nearly 130,000 people are going to have to make very hard choices about how they spend scarce dollars. As policy makers we cannot ignore this issue in our search for solutions.

NO SILVER BULLETS

It is clear the public attitude is changing with respect to greenhouse gas management and as proof you need look no further than the ads surrounding the Sunday morning talk shows. Company advertising now talks about how green they are, not how efficient they are, or how much growth they enjoy. Other advertisements publicly shame firms which make money off of projects or companies which do not meet the ''green'' test. And much of the public conversation is about increased consumption of natural gas in lieu of coal.

But even the current shift to natural gas is not without carbon implications. Burning natural gas has fewer CO_2 emissions per unit of electricity produced but still has carbon emissions and if one considers the upstream footprint of exploration and production natural gas is an answer, but not a perfect answer. For example, in my state, natural gas processing plants emitted 6.9 million metric tons of CO_2 equivalent in 2005, representing nearly 25% of our net carbon footprint. One of the two largest plants operated by ExxonMobil has a large well field and plant that produces natural gas, helium and CO_2 for the enhanced oil recovery industry. However much of the CO_2 is currently vented to the atmosphere. In fact, for every million cubic feet of natural gas produced, nearly two million cubic feet of CO_2 is produced and a majority of it is vented to the atmosphere. My friends in California where much of the natural gas ends up don't always take this into account when they do their carbon footprint analysis.

STATE PERSPECTIVE

We believe the state has a role in managing greenhouse gases and to that end we have begun to construct the legal framework to do so. However, even the simple question of who has the right to sequester CO_2 under state law is amazingly complicated. Does that right belong to the surface owner or to the owner of the mineral estate? How do we take into account the vast federal ownership of both the surface and mineral estate?

From the point of view of a Governor, the absence of a well thought out, cogent federal policy that maps the pathway forward makes the task of setting workable rules, regulations and operating practices that much more difficult. This is equally true for the private sector. Until someone monetizes CO_2 through performance standards with offsets, cap and trade or some variation of these schemes the marketplace is wandering in the desert. The level and pace of technology development will be set largely by the scheme you adopt as the price of carbon, the timeline for implementation and off ramps such as safety valves anchor the assumptions behind any economic investment. With these variables in mind, the structure needs to be set sufficient to promote large scale demonstration projects sufficient to resolve the outstanding questions in a rational but aggressive manner.

We meet with folks who are absolutely serious about developing new plants to supply energy and they assume they will live in a carbon constrained world. They fully anticipate sequestration of $C0_2$ or the necessity of some other mechanism to manage greenhouse gases. Most are not shy about their dislike of taxes or escalating costs, but uncertainty about future carbon rules absolutely overwhelms every discussion. It appears to me that a number of these investments will never come to fruition until the other shoe drops and the boundary conditions are established for the risk with respect to carbon management.

In a minute I will list some specific actions I think make sense, but first I want to make an observation as a predicate to those recommendations. It is the simple notion that when it comes to carbon management, it is difficult but necessary to admit what we don't know. Because in the absence of full knowledge we tend toward absolutist positions like ''only wind'', ''no nukes'', ''only biomass'' or ''no coal''. I am not sure the federal government knows how we should construct the greenhouse gas management regime and I am not sure industry knows either.

If you will grant me this observation for a moment, it seems a prudent course would be to pick those activities we believe must be undertaken no matter what path ultimately proves to be the correct one. For example, we know we need studies and demonstrations putting $C0_2$ in the ground in quantity to determine the physical facts i.e. measuring, monitoring and verifying sequestration data in the real world. We favor an array of these demonstrations as proposed by the Department of Energy carbon sequestration partnerships as a sensible approach given different conditions across the country.

Additionally, we know there are differences between enhanced oil recovery (EOR) and carbon sequestration which may or may not overlap. Monetizing a $C0_2$ stream for the purposes EOR may mitigate the cost impact on consumers in the early years of a carbon policy. This needs to be studied with some degree of granularity.

Staying with the theme of moving from the abstract to real world data, I believe we need to accelerate those programs that lead quickly to economically viable, commercial scale electric generation plants. This would include both super critical pulverized coal plants with significant carbon capture and sequestration as well as integrated gasification combined cycle (IGCC) plants with carbon capture and sequestration. My observation is that substantial federal underwriting to hasten this process is required to assist those companies willing to pursue these types of plants. Short of constructing and operating these plants and learning the lessons required to engineer follow on plants, we will be confined to the laboratory bench and speculation.

While I have heard and seen a number of presentations I am not sure there is definitive information on available technologies and the quantitative analysis surrounding commercial deployment of carbon sequestration. Academics and companies have their plausible estimates but I have yet to see money changing hands in a commercial transaction. In fact the discussion with the individuals charged with financing these projects, quickly becomes an exercise working through a list of the uncertainties. On that list are not only questions about the technologies involved with carbon management but the impact of the hyper-inflation in material, manpower and construction costs. Simple questions such as whether CO_2 capture and sequestration costs (capital and operating) will be recoverable as part of a utility's rate base has yet to be answered.

With respect to the federal-state interface and their respective roles in this enormous undertaking, we favor a model of federal standards and state implementation. The Clean Air Act is an example of how this might work. One important difference however between that process and our current situation is the state of development of the technology enabling implementation. Hence another threshold activity would seem to be the federal underwriting of the research and development of capture and storage technology to the point of commercialization. We need to not only understand the capital costs but the operating and maintenance costs through time. Additionally, the likely internal energy requirements to implement both a robust capture system and preparing CO_2 for transport and sequestration are most probably significant. This needs to be understood not only by the plant design engineers but by public policy makers as well.

Indemnification and risk assumption and at what juncture are also critical unresolved issues. There is precedent that the private sector absorbs the operational risk related to capture, transportation and injection. But post-injection risk, namely in situ liability of harm to human health, the environment and property related to CO_2 leakages needs to transfer to the public sector at a reasonable point in time when the operational risk of the initial process has practically concluded. Funding for this long-term risk management pool would likely need to derive from the monetization of CO_2 through a federal cap and trade or taxation system.

Another point of separation between the historically successful management of sulfur dioxide and carbon dioxide is the amount of material involved. In rough terms there is about 250 times the amount of material involved in dealing with CO_2 as with SO_2 in electric power generation. It would seem a detailed study of the required infrastructure would make sense. What will it take to move significant amounts of CO_2 from generation source to ultimate sequestration site? How much pipeline capacity will be needed and where will it need to be installed? What are the energy requirements to move large amounts of CO_2? What design standards will need to be in place and in force to ensure safe handling?

Resolving these vital questions requires a long-term commitment to fund demonstration projects at scale, to monitor, measure and verify the CO_2 activity and begin to build a risk assessment profile. According to a recent MIT study, to do so requires an 8–10 year commitment and a federal commitment of at least $1 billion/annum. But with a projected decline in GDP growth of $400–800 billion if carbon capture and sequestration is

not deployed, our economy stands to suffer a far worse outcome if CCS is not commercially available in the next few decades.

STATE ACTIVITIES

As I mentioned before, Wyoming has undertaken a number of activities to address the management of greenhouse gases. We are a founding member of the Climate Registry.

We are in the process of conducting an inventory of greenhouse gas sources to establish our emissions baseline and begin to identify practical opportunities for reduction. Many of our significant oil and gas companies are members of EPA's Natural Gas STAR Program which implements best practices to reduce methane emissions in natural gas exploration and production. For a number of years, our Department of Environmental Quality has employed a permitting protocol requiring best available control technology (BACT) for oil and gas minor sources which significantly reduce greenhouse gases. We have for many years had a Carbon Sequestration Committee investigating terrestrial sequestration opportunities springing from our agriculture lands and forests.

We have funded a study underway by the Wyoming State Geological Survey to identify optimal CO_2 sequestration sites and to date they have found a site that is calculated to store all emission from every source in Wyoming for 350 years (20 billion tons). We have funded and operated the Enhanced Oil Recovery Institute at the University of Wyoming which assists primarily independent oil producers in finding suitable fields and employ CO_2 floods to produce more oil. We participate in two carbon sequestration partnerships and have proposals for large scale demonstration projects at two promising sites. We have established the Wyoming Infrastructure Authority, a state instrumentality to address the electricity transmission constraint that keeps our vast wind resource from the marketplace. Recently, Rocky Mountain Power has announced plans to build nearly 1200 miles of high voltage power lines across four western states. We have competed in the FutureGen competition making the case for a western mine mouth plant located near both enhanced oil recovery well fields and deep saline aquifers for long term carbon sequestration. We have actively and seriously pursued section 413 of the Energy Policy Act of 2005 which calls for an Integrated Gasification Combined Cycle (IGCC) electric generation plant with carbon sequestration at an altitude above 4,000 feet with low ranked coals in a western state. We have signed a Memorandum of Understanding (MOU) with the State of California and particularly the California Energy Commission and California Public Utility Commission to work toward the development of this IGCC plant. We have funded a clean coal request for proposal (RFP) process with intention of drawing the best ideas from industry partnerships to advance the state of the art in clean coal technology.

We have established the School of Energy Resources at the University of Wyoming and will dedicate a portion of our time on the National Center for Atmospheric Research (NCAR) supercomputer to sequestration reservoir characterization. We have passed statutory incentives for the development of wind energy. We are exploring an exchange with a Chinese province focused on CO_2 sequestration.

SUMMARY

As you can see we are expending a good deal of money, time and talent in the pursuit of greenhouse gas management and will continue to do so. But please recognize this is just the tip if the iceberg and we need federal involvement in a serious way to really move forward in a meaningful way.

My recommendations for the Committee's consideration are three. First, continue to focus the debate on the proper, rational and achievable framework that leads to the monetization of carbon. However, let me be clear here, I am not urging continued inaction. The lack of a federal plan essentially paralyzes the other players, both private and public sector.

Secondly, focus short-term spending and federal underwriting on the nearly universally agreed upon activities of carbon capture and sequestration. With respect to capture, a better understanding of the technologies particularly the economics and power requirements is fundamental. Given the amount of material involved, a comprehensive study of the infrastructure requirements to move CO_2 from source to sink is necessary. With respect to storage, continuation or acceleration of the multiple current sequestration projects which will put CO_2 in quantity in the ground is essential.

Finally, the Congress should take up the issue of parsing the long-term liability of carbon storage. Serious investment in plants which will make use of carbon sequestration will likely not be forthcoming until this issue is settled.

It is my understanding that there have been over 105 hearings on this and the broader topic of energy independence in just the last eight months. I ask to you consider what specific information is still required to chart the course. For while I'm only one Governor, we will commit our resources towards obtaining the answers you need, so that we can effectively move forward now. The problem at hand is enormous, climate change does not wait for us and we cannot afford to delay.

Mr. Chairman, thank you for your time and attention.

Mrs. BOXER. Mr. President, to quote part of what Governor Freudenthal said:

I am not urging continued inaction. The lack of a federal plan essentially paralyzes the other players, both private and public sector. The problem at hand is enormous. Climate change does not wait for us and we cannot afford to delay.

I have had many conversations with the good Governor, and let me tell you why he is upset. The West has got problems. In my friend's own State, the average temperature rising in the Colorado River Basin, which stretches from Wyoming to Mexico, is more than double the average global increase. So his State is facing real problems, and essentially he gets up here, and has every right, and reads off the National Association of Manufacturers' talking points. I thought the West was independent. I am a little stunned.

We are hearing the same things now over and over: Raising gas prices. Let us look again. Under George W. Bush, we have had a 250-percent increase in gas prices. Where was my friend when we tried to do a windfall profits tax and give back the money to his poor working people he is crying about today? He wasn't with us on this. He has never been with us on this.

The fact is, we know if you look at this administration's own charts, not the National Association of Manufacturers', we will lower gas prices, because clearly we are going to have other technologies—other technologies. And the fuel economy standards that we passed here—and I don't know if my friend supported them; I hope he did—are going to make it cheaper for folks to drive because their cars will do better. So if there is a 2-cent-a-year increase—which is the outside limit, by the way—as Senator LIEBERMAN says, at the end of the day it won't be an increase for our families.

Now, my friend talked a lot about working people, so let's talk about working people. Let's see the working people who support this bill. My friend says he talks for working people, so I will tell you who is supporting the Boxer-Lieberman-Warner bill. The International Union of Operating Engineers. They see jobs, jobs, jobs. The building and construction trades. They see jobs. The International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers; the International Association of Heat and Frost Insulators; the International Brotherhood of Boilermakers, Iron, Shipbuilders, Blacksmiths.

I don't have enough time. I don't have enough time. The Laborers International Union of North America. It goes on and on. So when folks on the other side get up and say they are crying for working people, why don't you listen to working people? Because they see what is happening.

Let me tell you, my friend, what is happening in California, where we have a cutting-edge global warming law, and whether this bill passes or not, they are moving forward. So are the western States, I say to my friend. The fact is, let me tell you what is happening. We have a terrible recession in my State because of the crash of the housing industry. We are hoping we come out of this, but in the meantime, I am told by my Governor, who is a Republican, Governor Schwarzenegger, who supported this bill, that 450 new companies, solar companies, have set up shop and they are hiring those workers.

Then my friend says: What are you doing for the workers? Take a look in this bill. We have worker training. My friend actually wrote one of the pieces of this part of the legislation. Universities have think tanks, and they have job training. We are very excited about the jobs that will come. We are excited about the fact that finally we will get energy independence.

Really, in a way, I smile. I am not happy about it, but I have to smile when my colleagues on the other side complain about gas prices when they stood there and supported George Bush through his whole term when gas prices have gone up 250 percent. What was his answer? He went across to the Middle East and held hands with a Saudi prince and begged. It did not work. Let's forget about these phony arguments and support this bill.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Oklahoma.

Mr. INHOFE. Madam President, we have heard the same thing over and

over. This is only the second day. I guess we have maybe 10 days to go. The junior Senator from California is so interested in the fact that it is only up by 2 cents a year. Looking at the Energy Information Agency study, what is interesting about that is the Energy Information Agency study presumes that we would have an additional 260 nuclear plants on line. When the appropriate time comes I will be asking her that question, if she supports that.

We have several speakers coming down. Senator GRASSLEY from Iowa is coming down, so I will visit a little bit until he gets here. Then we want to go on schedule, and I am hoping we will be able to go back and forth and hear from a number of these Members.

First, I thank my colleague from Wyoming. I don't know what he experienced this last winter. When the Senator from California talks about temperatures and all this, it happens that we in the State of Oklahoma have had the worst cold spell during this last winter than we have in 30 years. I find this to be true all over the country. You just can't have it both ways.

One of the good things about this discussion and this debate is we are not going to be discussing the science. I know the Senator from Massachusetts talked about the scientists in the IPCC. I have to remind my friends across America, really it was the IPCC. That is the United Nations, in case nobody knows who the IPCC is. They are the ones who started all this.

By the way, anytime there is a quote from the IPCC, it is a summary for policymakers. Those are not—

Mr. KERRY. Will the Senator yield?

Mr. INHOFE. No, I will not.

That has nothing to do with scientists. We talked about 2,000 scientists. We have a list of 30,000 scientists who said: Yes, there can be a relationship between CO_2 and a warming condition, but it is not major.

Let me use an example. This is the best example because it comes from someone we all love dearly, former Vice President Al Gore. Former Vice President Al Gore wanted to explain to us how serious it was way back when he was Vice President. This is in the middle 1990s. He said he hired a scientist. The scientist's name was Tom Wiggly. Tom Wiggly was a well-known scientist, one who was supposed to know what he was talking about. He was the choice of Vice President Al Gore.

When he did this, the Vice President said: Do a study and tell us what would happen, how much cooling would take place if all of the nations who were developed nations—not developing nations, not China, not India, not Mexico—just the developed nations were all to sign onto the Kyoto Treaty and live by the emissions requirements. How much would that reduce the temperature in 50 years?

Do you know what the answer was? Do you remember that? You remember that. It was seven one-hundreths of 1 degree Celsius. That is not even measurable.

Of course, that is not Senator JIM INHOFE; that was Vice President Al Gore. Al Gore has done his movie. Almost everything in his movie—in fact, everything has been refuted. Interestingly enough, the IPCC—on sea levels and other scare tactics used in that science fiction movie, it has been totally refuted, and refuted many times, by the IPCC.

On the conversation we have been having on gas prices, if you look at different studies—you don't want to believe studies. Look at some of the government studies. They have a responsibility to come out with something that is realistic. If you do not want to do that, just use logic. If you are to pass a bill that has a cap on the supply of oil and gas in this country, and that cap goes into effect, by mere supply and demand the price is going to go up. It has to go up. So the EPA estimates that this bill, the Lieberman-Warner bill, will increase fuel costs an additional 53 cents per gallon, and by $1.40 by 2050.

The Energy Information Agency weighed in on the same thing and estimated gas prices will increase anywhere from 41 cents a gallon to $1 a gallon by 2030. While the climate bill's proponents, as we heard just a few minutes ago from the distinguished junior Senator from California, argued that this shows the gas price numbers going up by only 2 cents a year, that is assuming we have 2½ times the nuclear plants we have today. That is all written in this report. Right now we have approximately 104. That would be 260 nuclear plants.

Mr. KERRY. Will the Senator yield for a question?

Mr. INHOFE. No, I will not. Not now.

Then, getting into the nuclear, it is one of the things I think no one is going to argue with. You are not going to resolve the energy crisis unless it has a strong nuclear component. I think you are going to have some amendments coming up on this bill that certainly are supported by Senator WARNER, who is a cosponsor of the bill, that say we need to dramatically increase our nuclear capacity in America. I have been saying that for a long time.

If you look at European countries where there are not problems right now, in the European countries, actually 80 percent of their energy comes out of nuclear energy. In our country it is about 20 percent. I would say any kind of correction of this problem is not going to take place unless we have the nuclear plants.

The study that was referred to, the one that said only 2 cents a year, that is assuming we have an increase of 260 nuclear plants—it is wildly optimistic, impossible, can't be done. Nonetheless, that is what is being discussed. Nuclear energy is a very important part of our mix. It is going to have to be in the future.

I would say this: If I were on the other side of this bill, and I were trying to get this bill passed, I would welcome the opportunity to have that discussion on the nuclear amendment that will be offered by more than one person, but certainly offered by even the author of the bill, Senator WARNER.

I see the Senator from Iowa has arrived, and I think he is scheduled to speak for up to 30 minutes.

Mr. GRASSLEY. I probably will not take all that time.

Mr. KERRY. Will the Senator just yield for a question before he yields?

Mr. INHOFE. The problem with that is, as you well know, it is not very reasonable because we are on a schedule to listen to other people, other than the distinguished junior Senator from Massachusetts.

Mr. KERRY. With all due respect, Madam President, we are here to have a debate. It is hard to have a debate when you are talking all by yourself. If the other side wants to engage in a good discussion, there are an awful lot of things said that are inaccurate, and I wonder if the Senator wants to discuss them.

Mr. INHOFE. I will be happy to do that after the remarks of the Senator from Iowa. Is that all right?

Mr. KERRY. Terrific.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, on April 24 of this year the Senate Finance Committee held a hearing on the tax aspects of what we call the cap-and-trade program, which is an essential part of this bill before the Senate. At that hearing, the Director of the Congressional Budget Office, Peter Orszag, testified about the economic impact of a cap-and-trade system.

Then we also had Robert Greenstein of the Center on Budget and Policy Priorities testifying on the impact of a cap-and-trade system on low-income families.

I would like to share with my colleagues some very relevant information, in the case of my colleagues not having an opportunity to review the testimony that was before the Senate Finance Committee. Mr. Greenstein, who is often pointed to by Members of the other side of the aisle on economic issues, expressed support for policies to address climate change, but pointed out:

> Significant increases in the price of energy and energy-related products will necessarily occur as a result of the enactment of effective policies to reduce greenhouse gas emissions.

I think sometimes this issue is presented as though there will be no cost or that big corporate polluters will pay all the costs. On the contrary, we have then the CBO Director Orszag testify:

> Under a cap-and-trade program, firms would not ultimately bear most of the cost of the allowances but, instead, would pass them along to their customers in the form of higher prices.

So we are in this situation where everybody wants you to believe that corporations pay taxes or corporations absorb costs. But corporations are tax collectors or, if they have costs, they are passed on to the consumers and individuals end up paying. Mr. Orszag explained that price increases stem from the restrictions on emissions itself, and price increases are, in fact, an integral part of a cap-and-trade system. This is because price increases would be a key mechanism through which businesses and households would be encouraged to change behavior, leading to reductions of CO_2.

Regarding the impact of higher energy prices, I would like to refer to Mr. Greenstein again, whom I know many on the other side of the aisle very closely listen to about issues that affect the poor. He observed in his testimony:

Households with limited incomes will be affected the most by these higher prices because they spend a larger fraction of their budgets on energy and energy related products and because they—

Meaning people who are in lower income levels—

are less able to afford investments that could reduce their energy consumption, such as a new or more fuel efficient heating system or car.

That is the end of the quote from Mr. Greenstein.

It is important to emphasize we are not just talking about heating bills. Mr. Greenstein further testified:

The impact of climate change policies on low-income consumers goes well beyond the direct effect of higher energy prices on their utility bills. More than half of the increased costs that low-income households would face would be for goods and services other than utilities.

Any item that requires energy to produce will become more expensive—common sense. Items he mentioned that would be more costly for low-income families are quite obvious—gasoline, food, and rent.

We have heard a lot of rhetoric from the majority party expressing concerns about the current high gas prices. Now they have brought before us a bill that would yet further raise gas prices. It seems like making points that are in conflict, very definitely in conflict. You cannot complain about high gas prices and then introduce legislation to raise gas prices yet higher.

The new substitute amendment does contain a token provision for tax relief for consumers, but it only allocates the revenue from 3.5 percent of the allowances in the first year for this relief.

Robert Greenstein, whom I have quoted many times—many of the supporters of this bill usually quote him, maybe on other issues—testified that 14 percent of the allowance revenue would be needed to shield low-income households from further poverty and hardship instead of 3.5 percent. The current bill still falls short even in the year 2030, when 12 percent of allowances will be available to fund tax relief for consumers and emissions will be 45 percent below 2012 levels.

Mr. Greenstein estimates that the average increase in energy-related costs for the poorest fifth of our population would be somewhere between $750 and $950 per year for a modest 15-percent reduction in emissions. Can you imagine the outcry if Congress passed a bill to raise taxes on the poorest fifth of our population by $750 to $950 per year? Some of the very proponents of this legislation would be those crying foul the quickest. But that is exactly what this bill will do. I guess the Democratic leadership is hoping no one will notice.

Be forewarned, just look at a recent election in Britain. The Labor Party recently enacted a new tax policy that was perceived as a tax increase on low-income people, and its approval ratings hit historic lows, leading to sweeping losses in local elections. If Congress is going to impose significant new costs on working families, we must take sufficient action to maintain their standard of living. However, that means more than providing benefits to offset direct costs imposed by the bill before Congress. All Americans rely on healthy economic growth to provide jobs and opportunity.

CBO Director Orszag testified regarding a CO_2 cap that ''the higher prices caused by the cap would lower real wages and real returns on capital, which would be equivalent to raising marginal tax rates on those sources of income.'' In other words, a cap-and-trade system has the same economic effect as the most antigrowth type of tax increases one could think about. We are talking about a loss of jobs. We are talking about a loss of economic opportunity for too many Americans.

The Environmental Protection Agency estimates that this bill could reduce U.S. manufacturing output by almost 10 percent in 2030 and could cut gross domestic product by as much as 7 percent—by $2.8 trillion—in the year 2050. So we have people proposing this legislation from whom I have sometimes heard outcries on the floor of the Senate because there is outsourcing of manufacturing jobs, losing manufacturing in the United States. We have a bill before the Senate that is going to make that situation worse, according to the EPA.

To help mitigate the adverse effect of a CO_2 cap, Director Orszag suggested that one option would be to use revenue from auctioning allowances to reduce existing taxes that tend to dampen economic activity. Instead, what does the bill do? The bill before us creates a raft of new Government spending programs. In fact, this bill is 491 pages long, and I have had my staff count how many pages of new spending programs. They counted 212 pages. Much of the rest of the bill, then, is devoted to creating new bureaucracy to manage new programs and to bring about new mandates. We are talking about $6.7 trillion in spending over the life of the bill. That is an astounding amount of money, even by Washington standards.

Of course, the authors of the bill will say these new spending programs would invest in new technology. I heard that sort of discussion on the floor of the Senate a week or two before we took our Memorial Day recess. I also heard speeches a couple weeks ago that it would help the environment in some way. One problem with that argument is that almost all of this spending would occur after the caps have taken effect because that is when the revenue from the allowance auctions will start coming in. So common sense tells me that is way too late. It is too late to start investing in alternative energy technology after we already have a cap in place that effectively limits the amount of energy that can be produced from fossil fuels. We need to develop those alternatives right now. If we wait, the pinch we feel from the cap will be much harder. We must have alternatives in place before caps.

I should add that even though this bill showers money on many industries and special interests in an attempt to attract political support, it does little or nothing to promote further use of wind energy. My interest in wind energy is that I happen to be the father of legislation that passed in 1992, and Iowa is one of the leading producers of wind energy of the 50 States. As a promoter of the wind energy tax credit, I can tell you that this is zero-carbon, zero-pollution technology, and it has tremendous potential to help meet any future carbon emissions goals.

Congress should take a very positive, concrete step toward reducing greenhouse gases right now. You don't do that by leaving wind energy out of the legislation. That step we ought to be taking right now would be to send to President Bush a package of extensions of expiring renewable energy production tax incentives. In order to become law, that package would need to be in a form obviously acceptable to the President. The Senate acted on this issue when the Cantwell-Ensign amendment passed the Senate in the housing bill debate. The full Congress needs to follow through and get it to the President. With those production incentives and investments in effect and way ahead of time of what this bill would do, the projects will be built and more green energy will be supplied to American homes, motor vehicles, and businesses.

I look forward to seeing these vital incentives extended, but we need to do more—much more—if we are going to have in place the alternatives to meet any future emissions targets. Instead, what does this bill do? This bill for the most part waits until the cap has already taken effect and we will need to start switching to alternative sources of energy. Only then does it begin spending money to develop the alternatives we will already desperately need by that point.

In addition, this legislation creates a whole new Federal bureaucracy, called the Climate Change Technology Board, to spend money. So we tax the American people. We are going to have an independent agency spend the money, independent of any other Government agency. It will consist of five Directors appointed by the President. This new unelected bureaucracy will have broad discretion to spend funds that are allocated directly to it without going through Congress and with minimal congressional oversight. Congress will only be allowed to block funding after the fact and only if it passes legislation within 30 days. Anyone who is familiar with the legislative process around here, particularly in the Senate, knows this is essentially a carte blanche to spend money.

I am sure we will hear justifications of how each of these new spending programs will do a lot of good. When we hear that, I urge my colleagues to keep one thing in mind: According to the EPA, a typical American household will lose $1,400 in purchase power, and $4,400 in 2050, due to this legislation. What we need to ask is whether these new spending programs justify a tax of $1,400, increasing to $4,400, on a typical American family.

The authors of this bill will say this is not a tax. I have already quoted the CBO Director saying that this bill will have the same economic effect as tax increases. We know this bill will raise trillions of dollars in Federal revenue, and CBO says it will consider auction proceeds to be Federal revenues. Spending in the bill, quite obviously, will be Federal outlays. In the process, American families are going to feel a tight pinch on their pocketbooks.

So you get back to something that is kind of Midwestern common sense about this legislation and about whether it is a tax increase or not a tax increase, whether it is a Federal expenditure or not a Federal expenditure, because where I come from, as the saying goes, if it walks like a duck, talks like a duck, it is a duck. Well, this looks like a tax and it talks like a tax.

The question is, What to do with the revenues? We are faced with a tough decision. With this much new spending, there is something in there for everyone. But does it justify a tax of $1,400—eventually $4,400—on hard-working American families? Rather than spend this money on new Government programs, the right thing to do is to return it to the American people to offset increased costs they will bear, prevent increased poverty, and preserve economic opportunity for all.

I yield the floor.

Mr. LIEBERMAN. Mr. President, I believe Senator INHOFE may have some time left—4 minutes—on his 30 minutes, then I would have 5 minutes to rebut, and then we would go to Senator WHITEHOUSE.

Mr. INHOFE. I don't think that is entirely accurate because I think the Senator who just spoke, Mr. GRASSLEY, was on the list and was designated as the speaker with some time.

The PRESIDING OFFICER. The Chair understands that the Senator from Oklahoma yielded time to the Senator from Iowa from the 30 minutes of the Senator from Oklahoma.

Mr. INHOFE. The UC that was passed allowed Senator GRASSLEY to speak. He was out of order only by one. Senator WHITEHOUSE was supposed to be first, and then he was supposed to speak. What is it you want? Maybe I can accommodate that.

Mr. LIEBERMAN. I was going to suggest that you controlled 30 minutes. You had 4 minutes remaining. If you wanted to use that, then I would take the 5 minutes under the order we have for rebuttal, and then we would go to Senator WHITEHOUSE.

Mr. INHOFE. That is fine.

Mr. LIEBERMAN. Good.

Mr. INHOFE. According to the Chair, I have 4 minutes remaining.

The PRESIDING OFFICER. There is 3 minutes remaining.

Mr. INHOFE. First, let me repeat what I started out talking about in the opening discussion on this bill. We said we are going to go ahead and we will not talk about the science because the science is not in this bill. What we are going to talk about is the economics of this bill. That is what we have done. I have also said that if anyone wants to talk about science—I used the example of Vice President Gore's own scientist who said what a small, immeasurable impact it would be if we were to sign on to the Kyoto treaty which is cap and trade, very similar to what we are talking about today.

Then, in 2005, we went through the same thing with the McCain-Lieberman bill. That bill, I have to say to my good friend from Connecticut, was not nearly as bad as the Kyoto Treaty and far better than this bill today because the price tag on that was less than the Kyoto Treaty. The Kyoto Treaty would have been in the range of between $300 and $330 billion. That amount of money was a huge, very high amount. But the bill that came along in 2005 was the bill by MCCAIN and LIEBERMAN which is far less than that. Now, this is the one that is the big one. The range here in terms of the cost is about 20 percent, 25 percent higher than Kyoto would have been at that time.

We started talking about gas prices and the fact that the nuclear component is going to have to be necessary. But what we did not really get around to—and I think we need to do it over and over again in the next few days, until such time as we get onto the amendments—is the fact that the amount of money this is going to cost over a period of time, according to Senator BOXER in one of her early press releases, is $6.7 trillion. This would be in the form of higher gasoline or electric bills. A lot of people will make the statement that this really is not an accurate figure. Well, this is not my figure, this is her figure.

They have also said the bill provides that some of this money can be—or the amended bill, which we have not seen all that long a time, provides that some of this money can go back to poorer families. That amount in the maximum, as I calculate it, is $2.5 trillion, which leaves $4.2 trillion.

Now, you might wonder, what is all this going to go to? I found it very interesting, when the junior Senator from California was complimenting the senior Senator from New Hampshire, when Senator GREGG said: Well, we are in somewhat agreement, she said: The difference is, he wants to return that money to the people, that $4.2 trillion, instead of supporting this bureaucracy.

Well, as to the bureaucracy, we think it is going to be about 45 new bureaucracies, and it is going to take, over the 50-year life of this bill, I would suspect, right around $4.2 trillion to run that bureaucracy. I would conclude, though, by saying this country does not need 45 more bureaucracies.

The PRESIDING OFFICER. The Senator's time is expired.

The Senator from Connecticut.

Mr. LIEBERMAN. Madam President, let me respond to some of the things that have been said in the last half hour. But let me come back to why we are here and why the Environment Committee reported this bill.

This bill has a purpose, and the purpose is to reduce the carbon pollution that causes global warming. Why are we doing it? We are doing it because we want to turn this country and this planet over to our children and grandchildren and those who follow them in a better, safer condition than it will be if we just let global warming go unchecked.

There have been a lot of things that have been blamed on this bill today: Gas prices, which got pretty high without this bill being adopted because it has not been adopted. The response has been given to that. Tax increases. These are not tax increases. We rejected a carbon tax. This is the result of a market where businesses exercise choice. They can either reduce their carbon emissions below the cap, in which case they have some credits to sell or, if they cannot do it, they will go back out in the market, of their own choice, and buy some at auction, and that creates the revenue which we then refunnel.

In the last block of time, what seemed to be suggested was that the passage of this bill would gravely hurt the American economy. In the first place, my friend from Wyoming, Senator BARRASSO, cited a study by the National Association of Manufacturers and the American Council for Capital Formation. I believe the underpinnings of this study have been undercut by independent authorities.

At a May 20 hearing before the Senate Energy and Natural Resources Committee, the Deputy Administrator of the Energy Information Agency—part of the Department of Energy, part

of the Bush administration—Mr. Howard Gruenspecht said that this NAM, National Association of Manufacturers, modeling mistakenly attributes costs due to rising world oil prices as impacts of the Climate Security Act, which will reduce world oil prices because it will reduce demand for oil, rather than considering those costs as part of the economic baseline for the study. The fact is—and here again I cite two studies done by agencies of this administration, the EPA and the EIA—both predict continued strong growth for the U.S. economy under this Climate Security Act. The modeling of the Environmental Protection Agency found that under this bill, gross domestic product would grow by 80 percent between 2010 and 2030.

Here is the slight impact of the Climate Security Act.

Incidentally, these studies all do not account for the costs of doing nothing, which we believe would be many billions of dollars. Look at it this way: If we do not pass this act—and this does not count for the cost of hurricanes and other extreme effects of global warming—the total output of the American economy is projected to reach $26 trillion—that is a great number—in June of 2030. With the passage of the bill, the economy will reach $26 trillion in April of 2030. So is it worth that few months' delay to get to the $26 trillion to avoid the cost of doing nothing and the harm global warming will do to our country and our planet, affecting our children and our grandchildren? My answer is yes.

Let me suggest this too. There is a cost of the status quo for industry. My friend from Wyoming, Senator BARRASSO, comes from a great coal-producing State. Coal is America's most abundant natural energy resource. America has the largest coal reserves in the world. This bill aims to continue to allow American industry, power companies, to use coal—in fact, to use it more.

But let me suggest this: Under the status quo, without this bill, coal and those manufacturers who rely on it are in trouble. Fifty-four percent of the new coal-fired electric power capacity ordered in this country since 2000 has been canceled. Why? Because companies cannot get affordable financing to build the plants. And why not? Because investors have 100 percent certainty that a climate law is going to be enacted in this country within the next few years, certainly within the lifetime of a coal plant.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LIEBERMAN. The bottom line is, coal and the manufacturers who depend on it need this bill to raise the money they need to build additional coal plants to provide energy for American industry. That would be great for our economy.

Madam President, I yield the floor to my friend from Rhode Island, who I might say played a very important and constructive and creative role in the work the Environment Committee did in bringing S. 2191 to the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, I thank the distinguished Senator from Connecticut for his kind words and, more importantly, for his leadership.

Madam President, for the first time the Senate is embarked on a full debate on one of the most pressing issues facing America and the world today; that is, reducing the carbon pollution that causes global warming.

This legislation, admirably and painstakingly pieced together by Senators WARNER and LIEBERMAN and by our chairman, Senator BOXER, takes a historic step to confront the crisis before us.

As we speak, unchecked greenhouse gas emissions are causing the most significant and rapid climate and ecosystem shifts living memory has ever witnessed, affecting our oceans, our rivers, our lakes, our plants, our crops, and our wildlife. They affect our economy. They affect our very national security.

The evidence of global warming can be found in every State in the country. My home State of Rhode Island, the Ocean State, is perhaps the smallest, but it is no exception. Over the past 20 years, the annual mean winter temperature in our beautiful Narragansett Bay has increased by about 4 degrees Fahrenheit. Now, the difference between, say, 63 and 67 degrees may not feel like much to someone plunging into the clear waters of Narragansett Bay, but for the populations of fish and shellfish that make Narragansett Bay their home, that feed Rhode Island families, and fuel Rhode Island's proud fishing tradition, it is an ecosystem shift. It displaces cold water species, and it threatens the fragile and rich diversity of marine life in our precious Narragansett Bay.

So far, the consequences of global warming have been relatively mild. But there are worse things to come—in the world and in the waters around us. We are forewarned by overwhelming and undeniable scientific evidence.

Let me speak briefly about the science underpinning the evidence of global warming. We are fortunate to have an enormous body of scientific data measuring the warming of the Earth, the rising of the seas, the shift in weather patterns, and the effects on all the Earth's creatures. This data comes from all corners of the world and from the full spectrum of scientific thinking, most recently, indeed, from a report by the Bush administration's own Department of Agriculture. The scientists essentially all draw the same ultimate conclusion: Global warming is happening, it is manmade, and it is getting worse.

Let me talk for a minute about some of the very foundations of the science we will be discussing.

As shown on this chart, this is a very simple scientific device: the bell curve, the standard normal distribution. It basically is the standard analytical device for almost all the observations in which science works. In this dimension, one measures the danger of what could happen. In this dimension, one measures the likelihood that will happen.

What you find in the bell curve is that there is a strong agreement, a strong, solid foundation of observed agreement around a level of danger that has a very high likelihood of taking place. It is this area, as shown on this chart—this key area—where the likelihood is the greatest that we face the dangers that have been described on this floor so eloquently by Chairman BOXER and Senator KERRY and others of the global warming that the Earth is undergoing.

Now, you will, during the course of this debate, hear about other points of view. I am confident of that. Most of them lurk down here, as shown on this chart, in the area where the likelihood is the least, but the danger is the least. That is the key. But this is really fringe science. The body of science on global warming, like the body of science on almost any other topic, follows a curve in which the vast majority of the observations, the vast majority of the scientific conclusions follow an allocation, a curve like this.

What the people who are fond of pointing out these low-danger but low-likelihood opinions usually forget to tell you is that there is this side of the curve. This side of the curve may also be unlikely, but it is very significant to us as a species because here the danger is even greater than what the vast bulk of the science we are relying on here in this discussion today would indicate. These are very significantly dangerous scenarios for our species.

What we have found as time has gone on and as the scientific observations have kept coming in is that we think it is here, as shown on this chart, but when the observations come in, they tend to be here, as shown over here on this chart. We are always running ahead of the science when the observations come in. Science is not telling us: Take it easy, don't worry. Science is telling us that the more information we get, the more dangerous it appears to be.

It is a simple, traditional, normal distribution curve. The discussion that supports the changes we are making here is taking place where the weight of the science is. If people try to take you off that and show you this end of it, beware because there is just as great a likelihood that this other end of the danger spectrum will occur.

Another aspect of the science here is the so-called trend line. Now, this is just an example. It is not any statistics at all; it is just dots we put together to show a variety of data over time and how a trend line flows through it. It is calculated through a very established scientific process.

There is a book that was written several years ago called ''How to Lie with Statistics.'' A trend line provides a lot of opportunity to mislead people with statistics. In this debate, unfortunately, that happens a fair amount.

I will give an example of that in a second. But basically, each of these, as data points come in over time—and in this case the temperature of various places on the Earth is measured—scientists are able to draw a trendline that essentially any reputable scientist, almost any reputable mathematician, can draw through those points, and then you base your conclusions on the trendline. That is standard, grade A, basic 101 science.

Now, let's look at how that works in terms of global warming. Here are temperature changes plotted over years 1978 through 2003. Here is a trendline that has been plotted through all of these orange data points. It clearly indicates the warming of the Earth. This is the type of information on which reasonable and prudent people across this country—in businesses, in homes—base their decisions all the time. It is the type of decisionmaking our military relies on, our intelligence communities rely on, our scientists rely on, our corporate leaders rely on. It is not anything special or magic. The trendline is very clear about what is happening.

Now, in the green box I have highlighted a section of the data because what I have seen is a number of reports that have focused on only this little piece of information. If you pull this little piece of information out—this was an El Niño year, so temperatures were unusually high. If you pull this little bit of data out, you can draw a very different trendline through this. It would probably look something like that. There have been people who have said: Well, that shows that in 1998 global warming stopped—because they took this tiny little segment of the overall data and tried to focus only on that.

So it is very important in this debate, when you see some of the information that has been brought out, to understand that books such as ''How To Lie With Statistics,'' their principles are still alive and well, and unfortunately, data such as this has even seeped into discussion in the Senate.

For many years, global warming denial thrived on an industry of sham science bought and paid for by special interests. Those days are diminishing. Even the most vocal global warming deniers have increasingly fallen silent because the science is speaking to us now with an unequivocal voice. We can reduce the carbon pollution that is causing global warming, and time is of the essence. The bill before us takes a badly needed step toward the new green economy that beckons America with the promise of new technologies, new products and, most importantly, new jobs that will drive our American economy for decades to come.

This country has never before shied away from the next great challenge or the next big idea. Classic American know-how has always led the world into new frontiers of scientific and technological discovery. The cold hand of the past always has reached out to impede progress, and we see it clawing on this floor today. But America is called by the future, not by the past.

We have heard discussion today on whether there are costs if we act to address the carbon pollution that is causing global warming. What are the costs if we do not act? If we do not act, we will continue to send our hard-earned dollars overseas to buy oil from nations that do not care for us. The economic implications of our crippling dependence on foreign oil are evident to every American every time they pull up to the gas pump. The challenge to our national security grows increasingly clear with every day our troops spend mired in the war in Iraq. If President Bush had tackled this problem 7 years ago after he was elected, we would not have the gas prices we see today. We would not have the weakened oil economy we live in today. We are paying at the pump because President Bush was AWOL when the future called.

If we do not act, we will not only keep paying at the pump for our continued addiction to foreign oil, but we will fall behind the rest of the world in developing and exploiting the green jobs and technologies of the future. If we do not act, we will witness increasing destruction of our natural landscape, disappearing coastlines back East, fire-swept prairies out West, a tornado-ravaged heartland, our hurricane-battered gulf coast. Hunters will see game species change their patterns and migrate away. Trout fish will find rivers too warm. If we do not act, we will allow the extinction of cherished creatures who share God's Earth with us, from the struggling polar bears of Greenland to Rhode Island's own little piping plover.

If we do not act, we will become the first and only generation of Americans—the first and only generation of Americans—to leave the world to our children in worse condition than the one that was handed to us. We should not make ourselves that first and only generation. We should not break the faith with our children and grandchildren.

I look forward as much as anybody in this room to a spirited debate that will give all Members of this body the opportunity to share their ideas and concerns. But when the debate is done, we must not shirk our duty. This has to be a legitimate debate. This can't be just about scoring political points. There is a true problem before us. We have it within our care, within our control, within our power to do something to get this right. I look forward very much to this debate. I hope my colleagues are all joining in it in good faith. I hope we will rely on real science and real arguments and not on talking points from industries that haven't gotten it yet.

But when you see indications such as this, that people are willing to take one little segment of the data out of context as much as that, I think people who are watching this can see if that is what people are doing, there is cause for concern about how serious they are about solving this problem.

Madam President, I thank you very much and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, first, before the Senator from Rhode Island leaves, let me remind him he started the discussion by saying this is the first time we have been debating this. We have been debating this for years. I know the Senator from Rhode Island wasn't yet elected when we had the McCain-Lieberman bill on the floor and I remember that so well because I was down here for 6 solid days doing nothing but debating this.

One thing I wish to ask you to do is—we made the request when we first started—this is not a discussion on science. We are now talking about a bill. We want to talk about the bill. I am convinced that people coming down and talking about science are doing that because they don't want to talk about the bill, they don't want to talk about the tax ramifications of this bill.

Now, for the purpose of this discussion from now on, let's assume the science is there, that we don't have to worry about science. Let's talk about the bill.

I yield the rebuttal time to the fine Senator from Tennessee, Senator CORKER.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Madam President, I thank the Senator from Oklahoma. I say to my friend from Rhode Island—would the Presiding Officer let me know when I have a minute left?

The PRESIDING OFFICER. The Senator will be so notified.

Mr. CORKER. The Senator from Rhode Island has talked about science, as the Senator from Oklahoma has mentioned, and I say I agree with him, that the large body of science says that man is contributing to global warming. As a matter of fact, I will even give to the Senator from Rhode Island the fact that cap and trade may be a legitimate way for us to deal with this. I think everybody in this body knows I am very open to looking at a legitimate cap-and-trade bill.

What I would ask the Senator from Rhode Island is—and I know he knows this subject well; he and I were in Greenland together and I know his beautiful wife Sandra actually swims daily in the bay that he is talking about, so she knows well about those temperatures. I know they discuss this at great length.

But if, in fact, we have this issue to deal with, why isn't the issue itself, by itself, good enough for us to focus on it? Why is it that we create a bill that—instead of focusing on cap and

trade and lowering emissions in our country, why is it instead that we create a bill that brings trillions of dollars into the United States Treasury and then pre-spends that money from the year 2012 to 2050? Why would we do that? Isn't the issue by itself strong enough? This is the mother and father of all earmarks. I have no understanding why anybody in this body would support legislation that prescribes trillions of dollars of spending.

Secondly, why would the Senator from Rhode Island support a bill where 27 percent of the allocations that are worth trillions of dollars—why would he support a bill that actually transfers those allocations which, in essence, is a tremendous transference of wealth to entities that have nothing whatsoever to do with lowering carbon emissions? Why would he support a bill such as that? Again, I have seen a lot of people walking around here with nicely tailored suits and briefcases, and I know that they realize if they sit at the table, they are going to benefit themselves by being tremendously enriched in the process. But why would the Senator not support a cap-and-trade bill that returned the auction proceeds to the people of America who are going to be paying higher costs legitimately as a result of this bill?

The last piece—and this is one that is very difficult for me to understand. Why would the Senator from Rhode Island—my friend, whom I love serving with—support a bill that pays and sends U.S. companies—instead of spending money here in our country on technology that lowers emissions here, encourages them to spend billions and billions of dollars in China that benefit that economy when we have tremendous trade deficits today?

So what I would say is again—I will say it over and over—I respect the authors of this bill. I agree with the science. I think we are squandering a tremendous opportunity in this body, because we are using old-time politics to win support for legislation that ought to be good enough on its own, and in the process the American people are paying the tab. I think it is reprehensible that we are going about it in this fashion. I think today with gasoline prices at $4 a gallon, we have an opportunity—I think this is a perfect time to talk about this bill to marry responsible climate security with responsible energy security.

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. CORKER. The American people elected us—the Senator from Rhode Island, the Presiding Officer, all of us at the same time—to focus on the big issues of this country. We have a tremendous opportunity in this body to have a balanced climate security bill that doesn't take money out of the pockets of Americans forever and spend it through bureaucracy, but to tie that with energy security and do it in a way that everyone wants, in a way that creates growth and economic development in this country. I think it is a shame—a shame—that we are squandering that opportunity by having legislation on this floor that instead takes money from the American people, never returns it, builds a bureaucracy that doesn't exist, and damages our country for the next 40 years.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I wish to take a few minutes to respond to the questions that were asked of me. I think I have some time remaining of the 15 minutes I was allocated.

Mr. INHOFE. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator has 1 minute remaining on his 15 minutes.

Mr. INHOFE. Madam President, that was a 5-minute rebuttal. The question I will ask the Chair, has the 5-minute rebuttal time expired?

The PRESIDING OFFICER. That is correct.

Mr. INHOFE. So it would take a unanimous consent request for him to have more time; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WHITEHOUSE. I ask unanimous consent that I may respond to the questions that were asked of me by name.

Mr. INHOFE. OK. For 1 minute. After this I think we will try to stay on schedule.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Madam President, since time is very short, to my good friend Senator CORKER from Tennessee I say this: First, the basic principle of this legislation is that polluters should pay, and I would hope that every person in this room would agree with that. Polluting industries should not get away with causing global warming by releasing carbon pollution for free and having all the rest of us pay the costs of that. If you agree with the proposition that polluting industries should pay, then you have to, as you suggested, figure out the best way to get the funds back to the American people.

We try to do it in this bill in ways that step us into the green economy we need for the future and in ways that step us up toward energy independence. The Senator may disagree. That is what the bill is about. If the minority would allow us to go to amendments, we could discuss that. That is not the way it is right now. We have to step forward. Senators BIDEN and LUGAR are going to come forward with foreign policy recommendations to make sure the rest of the countries move with us. I agree with the Senator from Tennessee that we have to make sure the rest of the world moves with us. But we cannot wait for the rest of the world to move.

The PRESIDING OFFICER (Mr. SALAZAR). Who yields time?

Mr. INHOFE. Mr. President, I yield 20 minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 20 minutes.

Mr. ENZI. Mr. President, I have an important message for everyone listening to me right now: This bill will cost you money. It will make your gasoline more expensive. It will increase your electric bill—dramatically. It will take hard-earned money out of your pocket. Companies don't pay the costs of higher energy. They pass it on to you, the customer. You need to think about what you want to pay for your gas and electricity when this bill has its full effect on you.

How willing are you to pay the personal cost of global warming legislation—even if it might not make a difference? What you and I need is a bill that spurs innovation and recognizes what is possible with technology. What you and I need is a bill that cleans the environment without destroying our economy. I am in favor of using alternative sources of energy and reducing emissions and giving incentives to invent cleaner air. I am in favor of increasing our supplies of energy. I am in favor of actions that will bring down your cost of energy.

We are now debating an issue that Congress has been discussing for a long time. I have been involved in this global warming debate for a long time. I was a member of the original Senate delegation that attended the Kyoto conference, at which the Kyoto protocol was created. I saw right away that that conference was not an environmental conference, it was an economic conference with the United States as a target.

Well, before that, I was also the mayor of Gillette, WY, the center of the largest coal-producing area in the Nation. Like many of my colleagues, I have spent a lot of time studying this issue.

Some say this bill is essential. I am not convinced that such is the case because I am not convinced it takes the right approach to reducing emissions. We may need to address this issue but not through the legislation we have before us today.

I am concerned that this is a piece of legislation that will make energy much more expensive for Americans, at a time when the No. 1 issue I am hearing about is the need to decrease energy prices, especially gasoline. I am concerned that we are debating a bill that will send American jobs overseas. I am concerned we are debating a bill that will irrevocably harm our ability to use our Nation's most abundant energy source—coal.

I am not a fearmonger. I am an environmentalist. I am in favor of using alternative sources of energy. As my constituents will tell you, we have a great potential for wind and solar energy in Wyoming. I am for conservation. We need to find ways to consume less energy. I am for inventions that reduce

gasoline and diesel consumption, and I am for inventions that reduce or eliminate all suspect chemicals and gases. But I am not a fearmonger.

We have held congressional hearings, but hearings around here aren't designed to get at the truth; hearings are to make a preconceived point. The chairman selects all of the panel members but one. The ranking Republican gets to pick that one. Then both sides show up to make specific points and to discredit the other approach. We have a bill before us that is one approach to this issue. Now we need to determine if it is a sensible solution, and we must determine what you, the public, are willing to pay. What are we willing to make you, our constituents, pay to implement the plan we have before us today to maybe address global warming? I suspect my folks in Wyoming are not willing to pay the enormous costs associated with this bill.

This bill is a one-size-fits-all approach. It is expensive. It creates a huge new bureaucracy. It assumes that technology is further along than it truly is, and it ignores the fact that nations such as China and India do not and will not have similar programs. We need a bill that spurs innovation and recognizes what is possible with technology. What we need is a bill that recognizes that if we want a clean environment, we cannot destroy our economy.

I figured out when I was mayor of Gillette and we were going to have a coal boom that we could wait to be run over or we could work to realize the benefits from development. We worked with the mines. We got the necessary facilities and amenities their employees would like. We made sure they did a reclamation job that makes us proud. You see, Wyoming coal is a clean coal. We ship it to all 50 States. Other States mix their coal with ours to meet the clean coal standards.

In the early days of my hometown's coal boom, the critics of coal said, ''Don't let them tear that area up. It is not reclaimable.'' Today, visitors in Gillette say, ''Don't let them tear that lush land up.'' And I have to say, ''That is where the mine used to be, and that area is where the mine is headed.'' Most of those visitors then say, ''Let the mines move ahead if they can improve it like that.'' Of course, the next generation is going to say, ''You moved all that dirt and you didn't make a bigger difference than that?'' The mining companies have to put the contours back exactly as they found it. That comes from one-size-fits-all legislation. People in the East got upset about mountaintop removal, and they should be upset when that occurs. But we mine coal differently in Wyoming. Our coal is in 60- to 90-foot seams under a few feet of dirt.

When we talk about coal mining, the first question should be: What would be hurt by mining? Second, we should ask: Can we improve what was there before? Are there any local needs that could be met? Wildlife is part of Wyoming's heritage. It is part of our recreation and even our food. What can we do to improve the habitat for wildlife? These questions are all asked before we allow mining to move forward in Wyoming in the first place. Unfortunately, sometimes policy in Washington dictates that we cannot do everything we want to do.

A few years ago, a prime emphasis from Washington was wetlands. Wyoming was photo-surveyed during our wettest spring in years, and we have been maintaining at that level. As the mayor of Gillette, I wanted to do better. I worked to get more wetlands on reclaimed mine property. But I was turned down because they weren't wetlands before. I finally got permission for a demonstration on one mine. It worked beautifully. It looked lush and it attracted animals and birds that were supposed to be attracted. It was a marvelous success. Do you think we have been able, in the next 20 years, to do one other project like that? No, we have not. Why not? Because restrictive policies in Washington by Congress have held us back. Don't try to make things better; try to keep them the same. That is not a good policy.

The Lieberman-Warner bill is an example of a similar policy. Instead of recognizing that, if given the proper tools, American innovation can solve any climate crisis, instead of trusting that industries will make advances and will improve technology, providing they can pass the cost on, the bill assumes that technologies are far ahead of where they truly are. And it does so at a tremendous cost to consumers. You may be paying for huge costs that may not make any difference.

There are so many studies on this subject that you cannot count them all. The bottom line is you can count on the fact that this bill will be expensive. You can explain it any way you want, but it will increase the energy cost of all you hard-working Americans. I have heard a lot of my colleagues talk about the struggling middle class. Well, if you implement a policy that will significantly increase energy prices, the middle class will struggle even more.

There is also a lot of talk about the need for the United States to be the leader on climate policy. People argue that if the United States acts, the world will follow. Europe is working to meet the greenhouse gas reduction standard they set up, but they are doing it by shipping their manufacturing to India and China because those countries don't have to meet any sort of standards. I don't want the United States to do the same thing. I want the jobs here. Presidential candidates are complaining about jobs going overseas. Whose jobs will be shipped out because of this bill? I cannot support a bill such as this, which does little to include the developing world in this effort. We have already reduced our logging, and those jobs shipped overseas have almost eliminated the Siberian tiger. We have placed an emphasis on ethanol and have Brazilians chopping down the rain forests to plant corn.

We are going to spend some time talking about this bill. The American people need to know that this bill costs money. It will make gasoline more expensive. It will increase their electric bills. It will take hard-earned money out of their pockets. It is the right time to have this debate so we can discuss the approach this bill is taking and determine if we are willing to saddle the people of our States with the enormous costs caused by it.

On June 1, George Will did an editorial in the Washington Post and exposed the cap-and-trade policy of this bill for what it is—a carbon tax, but clever and hidden. While I was at the global warming conference in The Hague, the United States was negotiating to get some recognition for the increase in trees in the United States since they absorb CO_2 and put out oxygen. The United States has had a significant increase in trees over its history, and studies have shown that the trees absorb more CO_2 than the people of the United States put out. The other countries wouldn't allow that since the conference every year is an economic conference, not an environmental conference.

Here is how the cap and trade will work. Actually, here is how cap and trade will shift wealth. Landowners who have trees on their land can put their trees' CO_2 absorption on the market. They can do that right now. The same trees that have been absorbing and transforming—that the world will not credit—will now be paid to do what they have always done. And you will pay for it at the gas pump and when you flip the electric switch, or when your furnace or water heater come on. That is right, the companies will buy the cap-and-trade credits for the trees and other absorbers, but you will pay it because it will be passed on.

I want everybody listening to visualize opening their utility bill the month after this bill goes into effect. Can you see your shocked look as the already high bill is now 50 percent higher? But that is nothing. Visualize how high your bill will go when you get into the spirit of selling credits. Speculation has driven up oil costs. Cap and trade will result in speculation as well. You will wonder what happened to your utilities, and they will tell you that Washington foisted this expense on you. The utilities will explain how Congress forced them to buy CO_2 credits to stop global warming. If there were a carbon tax—and I am not suggesting any new tax—if it were a carbon tax, it would at least be in proportion to what you yourself used and could be transparent. If this bill becomes law, you should visualize what will happen when you fill up your automobile. If you have a job in manufacturing, imagine what will happen to

your job when India and China, that have no constraints, get your job because their energy, with no environmental controls, is cheaper. Without a way to increase energy supplies that we rely on every day, so that prices will come down, this bill is out of step with the times and will cost you dollars—and perhaps your job.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if the Senator has completed, it is my understanding I will have a 5-minute rebuttal time; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. I am going to make a few comments and then turn to Senator LIEBERMAN. Can you tell me when I have used 2½ minutes, please.

Let me say, new speaker, same talking points. Unbelievable. Not one of my friends on the other side, not one, in my opinion, has offered anything to combat global warming, to get us off foreign oil—not one. It is unbelievable.

I checked the record. Let's hold up these charts on oil. Here we go again. It has been 7 years since George Bush took office, and gas prices have gone up 250 percent. I did not hear my colleagues on the other side of the aisle saying: Oh, my people are hurting, let's go to the oil companies; we know the executives are earning many millions. Nothing.

Let's look at what happened in the past 9 months, since January 7: an 82-cent increase. My colleagues, silent. Now they are worried, just when we can get off foreign oil, just when we have a plan to do it, we can say goodbye to big oil, out of the stranglehold, oh, they are suddenly concerned because gas prices could go up 2 cents a year, which, by the way, is the outside limit and we know, because of fuel economy we passed, is not going to impact our people.

Let's look to June 2007. The Senate rejected an effort by Senator BAUCUS to provide tax credits to renewable energy by closing loopholes for the oil industry that is taking all the money from my people and your people and the hard workers of America: 47 Democrats said yes; 34 Republicans said no.

In November 2005, an amendment by Senator CANTWELL to establish a national goal of reducing our dependence on foreign oil so the President does not have to go hold hands with a Saudi prince, let's see what happened then: 45 Democrats voted yes, but 52 Republicans said, no, they don't want to be energy independent. That is what this is about. All these crocodile tears, and you will hear it time and time again.

Where were they when we tried to do something about oil prices? How about in November 2005, an amendment by Senator CANTWELL to create a new Federal ban on price gouging: 45 Democrats yes; 42 Republicans no.

Don't listen to this. This is a phony attack just when we are ready to get off foreign oil.

The PRESIDING OFFICER. The Senator has used 2½ minutes.

Mrs. BOXER. I yield to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I thank my colleague from California. In the midst of all the attacks being made against the Climate Security Act, something may be missed by those who are listening or watching. We have a problem. It is called global warming. This bill, according to the Environmental Protection Agency of the Bush administration, solves that problem, protects us from the worst consequences of global warming.

I presume, because my friends on the other side are opposed to the bill, they don't deal with either the reality of global warming or the fact that our bill solves it. They are blaming just about everything but the common cold on our bill.

One of the biggest deceptions is this business that this bill will increase gasoline prices. I presume that argument is being made because all of us and the American people are angry about the increase in gasoline prices. The truth is the Climate Security Act will not increase gasoline prices, it will decrease gasoline prices because it will decrease our reliance on oil. In reducing carbon emissions, we have to stop using oil and use other ways to power our vehicles and that reduces the demand for oil.

Look at this chart. This is a study done by the International Resources Group, an economic consulting firm. This is the line for what oil imports will be in 2015 if we do not pass this bill: about 15 million barrels a day. Here is the line for 2191 if the Climate Security Act passes: down 58 percent, 6.4 million barrels a day, the lowest amount of imported oil in this country since 1986. That is 8.4 million barrels per day less imported into the United States.

We know there is speculation in the oil market, but the laws of supply and demand still have some effect. If we can reduce demand for oil that much, we are going to reduce the cost of gasoline. That is what this bill is all about. It is going to take that money and invest it in the kind of new technologies America has been waiting for, and they exist.

So let's go from the attack to something positive. Let's protect our children and grandchildren from global warming caused by carbon pollution.

I thank the Chair.

The PRESIDING OFFICER. Under the order, the Senator from Pennsylvania is to be next for a period up to 15 minutes.

Mr. ENZI. Mr. President, I believe I have 6 minutes remaining on my 20 minutes.

The PRESIDING OFFICER. Did the Senator wish to retain his time?

Mr. ENZI. I certainly wish to retain a portion of it.

The PRESIDING OFFICER. The Senator has 7 minutes remaining, and that time apparently was not yielded back.

Mrs. BOXER. I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I understand Senator WHITEHOUSE tried to reclaim his time, and he was not allowed to do it. Was he at the end of the day? It took a new consent agreement. Do we wish to now have a new consent agreement that people can do half their time and reclaim their time later? Is that something, I say to Senator ALEXANDER, he wants to do? I don't mind it at all. I would like to have it in the agreement.

Mr. ALEXANDER. Mr. President, as I understand it, that is what the practice has been recently in the debate.

Mrs. BOXER. Why don't we formalize it?

Mr. ALEXANDER. That would mean a Senator who had 20 minutes could reserve an amount of time used for rebuttal.

Mrs. BOXER. As long as they use it immediately after the rebuttal, and does that mean you get another rebuttal? That is why this is a problem. The whole notion was for rebuttal after the individual finished speaking. If somebody withholds, it is very complicated.

The PRESIDING OFFICER. Does the Senator wish to make a unanimous consent request?

Mrs. BOXER. I would like to keep it the way it is but make an exception now for Senator ENZI because I feel like he didn't know that rule. I would like to keep it the way it is and not be able to yield back time. You have your time, we have the rebuttal, we move on. I object to changing it, except in this circumstance, allowing Senator ENZI to have that 3 minutes.

Mr. CORKER. Reserving the right to object, I think we already have a unanimous consent agreement that says exactly what is happening right now. My thought was we would have a debate on the floor.

Mrs. BOXER. Excuse me, if Senator CORKER objects——

The PRESIDING OFFICER. The Senator from California will withhold.

Mr. ENZI. I was here for the previous discussion, and it was my understanding that the train had to continue on time, but it was set up that it would flow, that we could withhold shortly and then have a slight rebuttal after the rebuttal.

The PRESIDING OFFICER. The Senator from California has a unanimous consent request pending and that unanimous consent request is that Senator ENZI be able to retain his 7 minutes and thereafter Senators with allotted time under the current order must use that time in one block.

Mrs. BOXER. I am going to amend that.

The PRESIDING OFFICER. That is the unanimous consent request of the Senator from California. Is there objection?

Mr. CORKER. I object.

Mrs. BOXER. Then he cannot speak.

The PRESIDING OFFICER. The Senator from Tennessee objects.

Mr. CORKER. That is the order that is on the floor. You can't change the rules.

Mrs. BOXER. That is not the order.

Mr. CORKER. That is the order. The fact is the order is if people have remaining time, they can speak after rebuttal. That is exactly right.

Mr. ALEXANDER. Parliamentary inquiry, Mr. President: Could the Chair state the existing unanimous consent agreement?

The PRESIDING OFFICER. The Senator from California and the Senator from Tennessee will hold on for a minute. The understanding of the Chair at this point is that Senators use their allotted time and then there is up to 5 minutes for rebuttal. If the Senator does not use the entire allotted time during the one block, then time is yielded back and nothing is reclaimed. That is the understanding of the Chair with respect to the unanimous consent order in place. That unanimous consent agreement was enforced with respect to Senator WHITEHOUSE, who asked consent to be granted an additional minute, which time he had not previously used.

The Senator from Tennessee.

Mr. CORKER. Mr. President, that was not the understanding Senator INHOFE had left me with. However, I respect the Chair. If that is the ruling, then I do not object. I thank the Senator from California for her courtesy in giving Senator ENZI his remaining time.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wish to amend my UC to say that there be 2 minutes of rebuttal, after Senator ENZI completes his 7 minutes, to be controlled by myself.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Let us make it clear that the value of this debate, not just to ourselves but to the American public, is to have some exchange between us and to have a little followup and some questioning. I hope nothing that has been said thus far will restrict a Senator—for example, my dear friend who is about to speak, I would like to ask him a question and then that be charged against my time. Is that to be in any way obstructed by that procedure which we normally follow—I assume you will accept the question or maybe equally divide the time so we have some colloquy taking place.

The PRESIDING OFFICER. It would take consent to enter into that form of colloquy.

Mr. WARNER. I beg your pardon.

The PRESIDING OFFICER. It would take consent for the time to be charged against the time allocated to the Senator from Virginia.

Mrs. BOXER. 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.

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

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

Mrs. BOXER. Mr. President, I am thrilled to report the white smoke is coming out, and we have reached agreement on how to proceed. We are going to keep the order—and I hope everyone will make sure I am saying this right—keep the order the way it is. The only exception is, if a Senator wants to question another Senator, that Senator will do it off of the time they already have.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mrs. BOXER. That is wonderful. Now I believe we go to Senator CASEY for 15 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, we are making history today in the Senate because this is the first global warming bill that has reached the floor for a full debate and vote. Congress has, in the past, as we know, considered symbolic global warming legislation, but this is the first time that we are working on the details—how to create a national policy to slow, stop, and reverse the catastrophic global warming that we see across the world. At the same time, this legislation and this debate could not be more important to our economy and our national security.

This bill is very simple. There is a lot of complexity to it, obviously, but at its core it is very simple. It is about creating jobs, first of all; it is about protecting God's creation; and it is also about enhancing our national security and, indeed, the world's security. It is not a perfect bill, but it is a good bill on which to build a national program to reduce greenhouse gas emissions.

I do want to commend several Members of the Senate: Senators LIEBERMAN and WARNER, Senator BOXER, and so many others who have worked so many years on this legislation, and especially worked in the last year and the last 6 months to bring this to where we are today. These Senators, with help from other Members of the Senate, have crafted a bill that includes all of the major policy issues that we must address: the cost to American families, job creation, worker protection, focusing on developing nations that will soon be the largest emitters of carbon, and keeping America competitive internationally.

At its core, this bill also recognizes and celebrates the best of the American spirit. We are confronting challenges in this bill, no doubt about that, but we are confronting challenges with American innovation, American ingenuity, the can-do spirit of the American people, and the skill of the American people in leading the world in confronting a difficult challenge. So I think that is something we should recognize: that this is a good opportunity for the American people not only to confront the crisis of global warming, but also to create jobs, to build a stronger economy, to reduce our dependence on foreign oil, and to do something very significant on the question of what happens to our planet.

The authors of this bill have worked to include a number of things that are important to me, especially a program in this bill that is critical to the security of American workers—the Climate Change Workers Assistance Program. In short, what this program will do is make sure that workers who are adversely affected will have wages, they will have health care benefits, and they will have the intensive training they need to make the transition that will happen to some of our workers. This program will also provide a link between creating new manufacturing jobs in the future and helping transition to those new jobs of the future over time. This program is also a safety net intended to give American families peace of mind that they will not be left behind as we build a new economy with these new jobs.

That is the key point. Americans have called on us—have called on us—to take action and to prevent global warming, and they are willing to do a lot of the hard work to implement a national program to secure our collective future. Together, we can do this. We know we can do this. America has always been able to confront difficult challenges, whether that challenge was the Depression or a World War or any challenge presented to us. We have met those challenges just as we are meeting the challenge that is global warming. We can stop global warming at the same time that we create a robust new economy that will provide good jobs for our families.

There is a lot of talk about the cost of this bill, and there is no question that there are costs. But I also worry about the cost to our families. All of us worry about that. People are working so hard just to make ends meet. This bill contains programs to directly address these concerns, including a paid-for tax policy to return money to consumers to offset increased costs and special assistance for States such as Pennsylvania, my home State, that rely on manufacturing and coal as a major part of their economy.

But to this discussion of cost I wanted to add something opponents of this bill don't talk much about, and that is the cost of inaction, the cost of doing nothing, which many in this Chamber apparently believe we should do—do nothing and hope it gets better; talk about it and talk about it and do nothing and wait for another day. While

there is certainly a cost to implementing this legislation, there is also a cost if we sit back and do nothing. Not only will it be more expensive to address global warming the longer we wait, we can expect even greater costs in terms of major storms and weather events, increased wildfires, loss of food crops, and so many things that we are seeing playing out right before our eyes today in the world.

Just last week, a report commissioned by the U.S. Department of Agriculture acknowledged the impact global warming could have on crop disasters. We already know what happens when grain crops fail due to drought and flooding in different parts of the globe. It is happening right now. Lack of crops and increased costs of staples, such as wheat and rice, are causing food riots in some countries. By one estimate, one-fifth of the world's nations are in a food insecurity situation right now, as we speak.

So this is not just a humanitarian crisis for those people and their countries, this is also a national and international security threat—that threat being food insecurity—caused by a number of events and causes but especially the challenge that we have of global warming because that is contributing to that food insecurity. To sit back and do nothing about global warming when we see this path ahead of us and have heard the warnings from scientists all over the world would be not just the wrong policy—to do nothing on global warming—it would, in fact, in my judgment, be immoral.

So I support the Climate Security Act, and I will vote in favor of its passage.

Before I give up the floor, I have heard a lot of discussion in the last day or so from people criticizing this legislation, about a number of parts of the bill they do not like. But one of the things they keep pointing to is gas prices. Senator BOXER and others have used the chart that talks about the price increase of gasoline since President Bush has been in office, an exorbitant increase in the cost of gasoline. But I have to ask my friends on the other side of the aisle who keep talking about this bill increasing gas prices—and, frankly, it would not do that over time. We know from some of the data that has been presented that this bill will bring down the cost of gasoline. But let's say they are really concerned about this part of the legislation. Let's just say they are trying to make their point about gas prices.

If they are so concerned about gas prices today, why don't they support, as we have tried to push on this side of the aisle, strategies to bring down that cost or to, at a minimum, provide some measure of relief to our families?

How about a windfall profits tax? If people really are worried about gasoline prices, why don't critics of the bill support that? Why don't the critics of the bill, if they are so worried about families and gas prices, not only support a windfall profits tax but support measures that we have introduced already—and I hope we can have a vote on this—to focus on excessive speculation that is in the market right now?

So there is a lot we can do right now to bring down the cost of gasoline, or at least try, but it seems the other side of the aisle just wants to talk about bringing gas prices down but does not want to do it.

I think this Climate Security Act is one way not only to deal with our energy challenges but to do our best to protect God's creation, to enhance our national security, and to create lots and lots of jobs for our families and for our future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ALEXANDER. Mr. President, I yield to the Senator from Tennessee up to 5 minutes to rebut the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. I thank the senior Senator from Tennessee. I will only take a moment.

I enjoy so much working with the Senator from Pennsylvania. We came in at the same time and I appreciate the points he made. I actually wish to more fully address the comments made by the bill manager, the Senator from California, and say that I don't see any crocodile tears coming from this desk. The fact is, we will be offering meaningful amendments that focus on this legislation, with no excuses. I know the senior Senator from Tennessee has been in the forefront of this issue for some time. I think all of us realize that while gasoline prices have increased no doubt over the last 7 years, no doubt this bill will cause gasoline prices to continue to increase.

I think there is a big discussion about what we do with the revenues generated by this bill. That is a legitimate argument. We all realize there is a tremendous transference of wealth that takes place in this bill. All we are trying to do is cause this bill to be more pure and at the same time to try to link it toward energy security. I am looking forward to the amendment process.

I thank the Senator from Virginia for adding so much to the tone of debate we are having here.

I yield back my time to the Senator from Tennessee for not only rebuttal but his comments about the bill itself.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I understand under the regular order that leaves me with a couple of minutes plus 20 minutes, is that correct?

The PRESIDING OFFICER. The Senator has 3 minutes for rebuttal and then 20 minutes.

Mr. ALEXANDER. May I ask the Chair to let me know when 3 minutes remains in my time.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. ALEXANDER. Mr. President, this is an important day in the Senate because we are debating an important issue. It is one the country cares about and should care about. It is one which a great number of Senators here on both sides of the aisle have discussed. I congratulate Senator WARNER and Senator LIEBERMAN for their leadership. The chairman of the Environment and Public Works Committee is here. She has worked diligently on this and made it a priority. We are doing what the Senate ought to do.

What the American people do not like is when they see us engaged in what I like to call playpen politics—when we start trying to see who can stick fingers in each other's eyes. What they do like to see is for us to have principled, vigorous debates about important issues that have to do with the future of our country, and how we deal with climate change is one of those issues.

That is how we are dealing with this. We voted by a large margin, Democrats and Republicans both, to proceed with this debate and say this is important enough to put on the floor. The majority leader apparently is giving us a significant amount of time to debate this—as we say in Tennessee, to air out the issues—and that is surely what we ought to do.

We began this morning in a bipartisan breakfast. Senator LIEBERMAN and I are the hosts, along with some others, of a bipartisan breakfast on Tuesday mornings. The Presiding Officer often attends those meetings as well. The purpose of that is for Democrats and Republicans to sit around a table in a room, with no staff and no media, and discuss issues about which we do not agree in hopes we can find a way to deal with them.

This is an important day in the Senate. We are doing exactly what we ought to be doing on an issue of importance to the American people. The Lieberman-Warner bill is the basis for this discussion. We are going to be hearing this week a lot of criticisms of the Lieberman-Warner bill and I am going to make some of them myself. But that is not to criticize the effort, because we have to start somewhere. These are two of our most distinguished Members. The bill has gone through the committee and it is now on the floor. We would be derelict if we didn't say let's deal with climate change in the correct way.

What I wish to do in the time I have remaining is to talk about three things: No. 1, what is wrong with this bill; No. 2, to suggest a better way to deal with the climate change issue; and No. 3, to suggest what I believe is the best way to deal with the entire range of issues that are presented to us which I believe are much larger than climate change.

Let me jump to the end of my remarks at the beginning by simply saying: I believe climate change is a real issue, that humans are a contributor to

climate change, and we must deal with it. But I also believe that an unusual demand for energy in the United States and the world is a real issue. In our region where the Tennessee Valley Authority produces about——

The PRESIDING OFFICER. The rebuttal time of the Senator has expired.

Mr. ALEXANDER. I thank the Chair.

In our region where the Tennessee Valley Authority produces about 3 percent of all electricity in the country, estimates are that we would need 700 new megawatts of power in the next year. That is a coal plant and a half. That means 30 or 40 new coal plants around the country just to meet that, if the rest of the country is like TVA. That is a real issue as well.

Our Nation's overreliance on oil from other countries is a huge issue for us. We don't like being in the pocket of people who are selling us oil, including some who are trying to kill us by bankrolling terrorism. We want to be more independent than that in the world. It affects almost every aspect of our national security. It is costing $500 billion a year. Overdependence on foreign oil is driving down the value of the dollar. That lack of independence in our supply is a major issue.

Clean air is an issue. Carbon is not the only pollutant in the air that I am concerned about, coming from Tennessee, nor would it be for a Senator from California either. We have a real concern about sulfur, nitrogen, and mercury. I have, since I have been in the Senate, supported legislation in a bipartisan way—first with Senator CARPER—to stiffen requirements on mercury, nitrogen, and sulfur as well as begin to cap powerplant emissions for carbon. That is a little different perspective as well, rather than just saying carbon is the only problem. There is a range of problems we need to deal with.

My preference, as I will say in my remarks, is that we should have a new Manhattan Project for clean energy independence. That is the real way to deal with high gas prices, high electric prices, climate change, clean air, and the national security implications of too much dependence on foreign oil. But let me go back to the beginning and start with some problems with this bill.

What is wrong with Lieberman-Warner? The first thing wrong is that the Warner-Lieberman bill, according to an analysis by the Environmental Protection Agency, would increase the tax on gasoline by 53 cents per gallon by the year 2030, and an additional 90 cents or so after that. That's a 53-cent-per-gallon gas tax increase, according to the Environmental Protection Agency. That is not some Republican policy group speaking—that is the EPA.

I intend, when the opportunity comes, to offer an amendment to strike from the bill the provisions that would put a 53-cent gas tax increase on the American people. That is the first thing wrong with the bill.

The second thing wrong with the bill is that the Environmental Protection Agency says a 53-cent gas tax increase may hurt the pocketbook of the American consumer, but it will not reduce the carbon. It is not enough to cause people to drive much less and it is an ineffective way to do what the sponsors of the bill want to do, so we would have the worst of both worlds—we would be increasing the gas tax by 53 cents per gallon, and we would not be doing what we aim to do which is to reduce carbon with that effort.

The third thing wrong with the bill is it creates, over the next 10 years—according to the Congressional Budget Office—what I would call a trillion dollar slush fund. It would collect money—in effect a carbon tax, through a cap-and-trade system on the entire economy of the United States—and bring it to Washington, DC, where Members of Congress would, over the next 40 years, create about 42 mandatory entitlement spending programs for that money. Nothing is more dangerous in Washington, DC than a $1 trillion slush fund with a group of Congressmen with ideas about how to spend it.

My cure for that, and I think there will be amendments to this effect, is that to the extent there is any money brought into Washington as a result of a cap-and-trade auction—whether it is only on powerplants or the whole economy—that money ought to be returned directly to the taxpayers, especially the working people who will be having to pay for the higher electric rates or the higher gas prices caused by this legislation.

Those are three problems I have with the bill. No. 1, the 53-cent-per-gallon gas tax increase—that is what the EPA says. I don't think anyone doubts that. No. 2, it doesn't work because the EPA also says—and so does other testimony before the committee of which Senator BOXER is chairman—that an economy-wide cap on fuel is not an effective way to reduce the amount of carbon produced, at least in the early years. And third is the trillion dollar slush fund for Members of Congress to use for their own great ideas they come up with. I can't think of a worse way to spend the money.

It is well intentioned, but the bill as it has grown has become, in effect, with all respect, a well-intentioned contraption and it creates boards and czars and commissioners and money, and it is too complicated and too expensive. It has the potential for too many surprises. It overestimates what we in the United States have the wisdom to do in writing legislation about an economy that produces about 30 percent of all the wealth in the world every year and uses 25 percent of the energy. This is a very complex free market economy we have here and we have to be very careful about how we affect it.

Having said that, would there be a better way to deal with climate change? The answer is, I believe so. I wish to say briefly what I think that is. I believe it would be to put a cap-and-trade system on powerplants alone—that is 40 percent of the carbon produced in the American economy—and a low-carbon fuel standard on fuel. A low-carbon fuel standard, which is already in this legislation, is very simply the idea that beginning in the year 2023 we would control the amount of carbon that fuel in cars and trucks could produce, and that is it. In other words, instead of putting cap and trade on the whole economy as the Lieberman-Warner bill would do, we should only put cap and trade on powerplants—nothing else—and use a different approach for fuel.

Why would cap and trade work for powerplants? We have a lot of experience with cap and trade for powerplants. Cap and trade is simply a system of setting limits on the amount of carbon to come out of the smokestacks at a powerplant—if it is a coal plant or whatever kind of plant it might be. We have experience with measuring that. We actually have measurements for sulfur, nitrogen, and now mercury. We could do it for carbon. We could select effective enforcement dates that had some realistic relationship to the development of technology—for example, the technology to recapture the carbon that comes out of coal plants. And, in doing so, I believe that could be an effective way to begin to control the source of 40 percent of the carbon produced in the United States—the powerplants.

Would it add to the cost of electricity? Yes, it would. What would we do with the revenues from credits that were auctioned if there were a cap-and-trade system? We would give the money back. Not through a lot of federal spending programs, not to the State governments, not to pet projects; we would give it straight back to the working people to help pay their electric bills because they are the ones who would have those higher rates.

That would leave manufacturers alone. It wouldn't drive them overseas. It would avoid setting up all these boards and commissions and czars and government bureaucracies.

Then what would we do about fuel? Already we have done the single most important thing we could do as a Congress for climate change when we passed higher fuel efficiency standards at the end of last year. We did that in a bipartisan way, too. In 2007, we increased by 40 percent the fuel efficiency standards for cars and trucks in the United States for the first time in over 30 years. Testimony from David Greene of the Oak Ridge National Laboratory said that is the single most important thing the Congress can do to deal with climate change, overdependence on foreign oil, or clean air. And we did it. That is the first thing.

But there is another step we could do and that is already in this bill. It is the low-carbon fuel standard that I talked

about a few moments ago. As it is now presented in the bill, it would require fuel suppliers to lower the carbon content of transportation fuels by 5 percent less per unit of energy in 2023, and 10 percent less in 2028. The advantage of a low-carbon fuel standard, unlike the cap-and-trade system which is ineffective in terms of reducing carbon in fuel, is that it would be 100 percent effective because it would require a certain amount of reduction. Second, it is the way we normally deal with fuel and pollution. For example, the low-sulfur diesel standards for big trucks that the Clinton EPA started and the Bush EPA finished is making a big difference in the Smoky Mountains of Tennessee by reducing the amount of sulfur in the air starting this year. That is a form of fuel standard. This would be a low-carbon fuel standard, just like the low-sulfur diesel standard is for big trucks. It is simple. There would be a timeline that we could prepare for, and it might actually lower gasoline prices rather than adding 53 cents per gallon to the price of gasoline as the Lieberman-Warner bill would, because if you know that there needs to be a low-carbon fuel standard, then you might, for example, choose electricity as a fuel and have a plug-in hybrid vehicle and that would reduce the amount of carbon for fuel.

Or you might advance research for biofuels made from crops we don't eat, such as cellulosic ethanol, and use more of that kind of fuel. But we wouldn't have Senators and Congressmen and people who are elected to office making judgments about picking and choosing winners and losers.

If you are asking me how I would do it, I would imagine that if we looked ahead a couple years and had to guess today what kind of climate change legislation might actually pass the Senate, the House of Representatives, and be signed by the President, I think it will be a very simple piece of legislation, probably cap and trade for powerplants, with effective dates regulated or adjusted to the development of technology that would permit powerplants to meet the standards. Then, for fuel, it would be the higher fuel efficiency standards we already passed into law last year, plus a low-carbon fuel standard. That would cover two-thirds of the carbon we produce in the United States. The current bill only presumes to cover 85 percent. The approach I am suggesting would fairly distribute the burden because most people buy electricity and most people buy gasoline. It should be lower cost, fewer surprises, and much less complicated than the bill we are debating in the Senate today.

I might add to that framework I suggested, we would take whatever money was auctioned off in the cap-and-trade system on powerplants and—rather than building what I call a slush fund—refund it to the taxpayers. That money would come right in and go right back home, right back to the taxpayers. It wouldn't stop.

Finally, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1½ minutes. I stand corrected. The Senator has 4½ minutes.

Mr. ALEXANDER. Finally, the best way to deal with the climate change issue would be a different agenda—one that focuses on clean energy. I would much prefer to see the Senate today talking about clean energy independence rather than the President asking the Saudis to drill for more oil or the Democratic majority saying: Don't explore for oil but raise taxes on gasoline by 53 cents per gallon. I would rather see a Republican or a Democratic President work with the Congress and say: Let's say to the world we are going to launch a new Manhattan Project for clean energy independence. So within 5 years we will be well on our way to saying to the Saudis: We want to be your friends, but we can take or leave your oil.

The way to do that would be, first, to begin to do the things we know how to do to increase supply. For the next 30 years, we are going to use oil; it might as well be ours rather than importing it. Explore for oil offshore, and use it from the 2,000 acres in Alaska that is next to 13 million acres of wilderness. Then agree on six or seven grand challenges, such as those I suggested at the Oak Ridge National Laboratory a couple of weeks ago, to give us a chance to make breakthroughs that would give us that kind of clean energy independence. Those would include making plug-in cars and trucks commonplace, a crash program for carbon recapture, for making solar costs equal or as low as fossil fuel costs, advanced research for biofuels from crops that we don't eat, more new green buildings, even fusion for the longer term.

I believe from the day the American President and the Congress announced to the world that we were engaged in a new Manhattan Project for clean energy independence that included both supply, demand, and research, what would happen is that the rest of the world would change its way of thinking, that the speculators would get nervous, that the oil-producing countries would get real, and that the price of gas would stabilize and eventually go down. Within 5 years, we would be well on our way to clean energy independence. That is the way to deal with high gas prices, high electric prices. That is also the way to deal with clean air, climate change, and the national security implications of our overdependence on foreign oil.

I yield the floor.

The PRESIDING OFFICER. There is now 5 minutes available for rebuttal. The Senator from California.

Mrs. BOXER. Mr. President, Senator LIEBERMAN and I had planned to share this, but if Senator WARNER wishes to jump in, we will try to yield him some time. Let me say this one more time: Every Republican speaker who has come to the floor has talked about a gas tax. It in a way is so ironic, because when they had a chance to help us deal with gas prices, where were they? My friend, Senator ALEXANDER, says gas prices are going up 52 cents. He didn't tell you it is over 20 years, folks. He didn't tell you that, 2.5 cents a year, if he is right, and he is not right. That is the outer limit. The automobile fuel economy standard we passed will negate that, even if it is true. But where was he? Where were they?

We had three initiatives, we Democrats. They said nothing. Now, when we are on the brink of getting off foreign oil, getting off big oil, suddenly we can do nothing. It is sad, but that is the case.

What we are forgetting—and not one Republican has talked about this issue except for Senator WARNER, and I am happy to say Senator SNOWE is on her way to speak—the National Academy of Sciences concluded that climate change is real, attributed to human activities, and that global warming is unequivocal, and we need to do something about it.

The human health impacts, these come straight from the Bush administration people: Increase in the frequency and duration of heat waves and heat-related illness, increase in waterborne diseases, increased respiratory diseases. All they can talk about is 2 cents a year on gas prices, which isn't going to happen because we are going to get off foreign oil. Increased respiratory disease, lung disease, asthma, if we don't act. Children and the elderly are vulnerable. I don't hear any talk about that. All we hear about is 2 cents a year on gas, which we are not going to see either. The polar bears, we know they are in deep trouble. They are God's creatures, God's creatures. We have a responsibility to protect the 40 percent of the species that could be extinct.

Let me close my part by saying this. Evangelicals, the Conference of Catholic Bishops, the National Council of Churches, the Religious Action Center of Reform Judaism, the Jewish Council for Public Affairs, the Interfaith Power and Light Campaign—these dedicated religious leaders have joined hands with us. Why? Because they feel this is a moral issue. We believe jobs will be created. Businesses will be created. Technologies will come to the fore and will solve the global warming problem.

I yield the remainder of my time to Senator LIEBERMAN, if he wishes to share it.

Mr. LIEBERMAN. Is there time remaining?

The PRESIDING OFFICER. There is 2 minutes remaining.

Mr. LIEBERMAN. I yield to Senator WARNER.

Mr. WARNER. Mr. President, before my distinguished colleague from Tennessee leaves the floor, I listened to his proposal, just taking out the power industry and use that. But the revenues you gain by your bill, wouldn't they be

subject to the same accusation? Is it a tax? I think it is a false accusation, but I think your plan is basically a part of our plan. If they call our plan a tax, yours is a tax; am I correct?

Mr. ALEXANDER. If I may answer the Senator briefly, the answer is, correct, to the Senator.

Mr. WARNER. That is all I need to know.

Mr. ALEXANDER. Except that the rest of my answer to the Senator from Virginia is, any increase in revenue that came into the Government as a result of the cap-and-trade system on powerplants would then go straight back to the working people who pay their electric bills instead of coming into the unwieldy contraption this bill sets up which creates what I call a slush fund.

Mr. WARNER. Mr. President, I reply to my good friend, your plan is just as subject to the calls in here that it is a tax as is ours. But you send it back to the taxpayers. What we do is to give it to research and technology to try and improve the efficiency of the spectrum of organizations. We will have a proper pie chart tomorrow, showing how we take the money we collect and send it to research and development to improve our ability to develop solar and wind and all types of things. That is the difference. You are, in a sense, a tax collection agency. You collect it and give it back to the people. We collect it the same way, but we then put it into where technology will benefit the people.

Mrs. BOXER. Will the Senator yield for a question on his time?

The PRESIDING OFFICER. The rebuttal time on this matter for this period has expired.

Mrs. BOXER. I was asking if the Senator could use some of his own time.

Mr. WARNER. I yield to the manager part of my time for the purpose of a colloquy. The colloquy will add strength to this whole debate.

Mrs. BOXER. It is the colloquy that I believe is important because my friend is so right. We approach the future with hope. We are not going to pull the covers over our heads. This is America. We need to lead, and we need to lead in technology. We know venture capitalists have told us they are waiting for this bill. They are going to invest more in new technologies than they ever did in biotech and high tech. I wish to ask my friend this question: It is true that we do have a very large tax cut in this bill; is that not so?

Mr. WARNER. Mr. President, the chairman is correct.

Mrs. BOXER. Is it not so that we have a large, almost a trillion dollars of consumer relief that goes through the utilities to help our consumers; is that not correct?

Mr. WARNER. Mr. President, the chairman is correct.

Mrs. BOXER. And lastly, is it not true that we have a deficit reduction trust fund of about a trillion dollars as well?

Mr. WARNER. Mr. President, the chairman is correct.

Mrs. BOXER. I wish to make that point because I resent the Senator from Tennessee saying our bill is a slush fund.

Mr. ALEXANDER. Mr. President, I resent being resented and ask unanimous consent for a couple minutes to get into this colloquy, if I may.

Mr. WARNER. I have no objection, but where is the time coming from? I would hope you could find it.

Mrs. BOXER. He is asking unanimous consent.

Mr. INHOFE. He is asking for additional time.

Mrs. BOXER. That is fine with me.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am trying to get to a result here. Ever since I have been a Senator, I have proposed a cap-and-trade system on powerplants to deal with climate change. All I am saying is it would be better to keep it simple, to take the money collected and send it straight back home rather than bringing it up here and putting it in a slush fund. If ''slush fund'' is offensive to the Senator from California, I am sorry, but that is what large funds tend to be here. It is mandatory spending that is earmarked for the next 42 years.

So removing that slush fund would be an improvement on their bill. Take that out. Send the money back to the people. Return it to the individuals who paid it. That is all I am suggesting. No one ought to be offended by that. If we need to invest dollars in solar research, for example, I sponsored the amendment for the solar energy tax credit that is in the law now. Let's do that separately and with a clear appropriation, rather than a 42-year mandatory spending program that is drawn from $800 billion.

I thank the Chair and Senators for their courtesy.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, if I may take 2 minutes off my time to say to my good friend, when you get up and say it is going there for the next 42 years or whatever statement you made, you are incorrect. In our managers' amendment, the substitute, whatever comes up tomorrow—and that will be the order of business—we explicitly give the President of the United States the power at any time to come in and alter where those funds go. Of course, it requires the concurrence of the Congress, so the Congress has a voice.

There is nothing in our bill that acts in perpetuity. If at any time the President determines there is a crisis in the economy or that the technology, as required by the power sector to do the sequestration, is not there, the President pulls back on the throttle.

So I would hope colleagues, when they get up to discuss this bill, recognize that flexibility has been put in it to take care of all of these situations. I hope we do not have anybody saying again: And for 42 years this will stay in fixed cement, in place. It is not true. Flexibility is at every turn.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. INHOFE. Mr. President, can I make a parliamentary inquiry?

Is the time that was used by the Senator from Virginia going to be taken from his time?

Mrs. BOXER. Yes.

Mr. INHOFE. The reason I ask is because we have a lot of people who have lined up afterwards who do not want to wait much longer.

The PRESIDING OFFICER. On the parliamentary inquiry from the Senator from Oklahoma, the time will be charged against the Senator from Virginia.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I yield myself some time from the 20 minutes I have allotted on the list.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. Mr. President, reserving the right to object, let me explain why. I know you are going to take it from your time, but the problem is, we have two speakers on this side who are pressed for time, and you are actually scheduled for after these two speakers. So if you could wait until your time, it would be——

Mr. LIEBERMAN. Mr. President, as Mr. ALEXANDER, the Senator from Tennessee, did, I ask unanimous consent for 2 minutes from my time to respond to something the Senator from Tennessee said.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, two points. One is on the discussion of an increase in the cost of gasoline. There was a lot of citing from Senator ALEXANDER and others about the projection of a 53-cent increase per gallon of gasoline. Again, it is over 22 years, made by EPA, 2008 to 2030. That is about a 2-cent-plus, at the outside, per year increase in a gallon of gasoline.

I tell you, look at what it has done this year. Just this year, in 8 months: January 7, $3.11; May 26, $3.93—an 82-cent increase since the beginning of this year—compared to about a 2-cent a year, outside, increase projected to do something, which is to help us achieve the purpose of this bill, which is to reduce carbon pollution that causes global warming. That is the point.

The second point, and we are going to come back to this, Senator ALEXANDER—and we agree—sees there is a problem. He wants to deal with it in a mandatory way and agrees on cap and trade. But he only wants to do it for the powerplant sector. We think if you do that, and eliminate the oil and fuel sector, eliminate the industrial sector,

you are simply not going to get the reductions in carbon pollution we need to reduce global warming, and you are going to diminish the marketplace.

A lot of the companies that want to come in are going to be deprived of the kind of broad marketplace we believe will work best to stimulate innovation and to reduce the carbon pollution that causes global warming.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Maine.

Ms. SNOWE. Mr. President, I ask unanimous consent to claim the 30 minutes that was previously reserved for Senator CARPER.

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

Ms. SNOWE. Thank you, Mr. President.

I rise in support of the legislation that is pending and the substitute that will be offered by the chair of the committee, Senator BOXER, to the Lieberman-Warner Climate Security Act, which is obviously a historic measure that is a benchmark for America in confronting the pressing and pervasive threat of global climate change.

This is not a Democratic issue; it is not a Republican issue. It is not a conservative or liberal issue. This is a human issue. It is a planetary issue. It is a moral issue. It is a matter and a question of stewardship, of responsibility not only to ourselves and the world in which we live but, most critically, to a future we will never inhabit but will largely determine based on decisions we make now.

In that light, I express my profound gratitude to the chair of the committee, Senator BOXER, without whom, obviously, this simply would not have been possible. I thank her for her longstanding advocacy and leadership, bridging the partisan divide which I think is what this legislation that is pending before the Senate does—the substitute that will be offered by her tomorrow—because I think it is critical we begin this process in developing the United States' leadership with respect to one of the most pressing and transformational issues not only facing this country but the world community.

I also express my profound gratitude to Senator LIEBERMAN and Senator WARNER for their outstanding and longtime leadership as well, and for their advocacy in developing those solutions to stem global climate change. It is certainly one of the most consequential issues of this century. I thank them for their vision and courage—and Senator BOXER—for doing all they could to bring this legislation to this point in the Senate to have the first ever debate on a monumental issue that will reverberate for generations.

I have heard much here in the debate. Hopefully, I will be able to offer some of the counterpoints later on in the debate. I want to lay out my own views with respect to this issue because I think it is so critical for the future of this country. I do not think we can afford the option of inaction any longer. I think this is the time in which we have to engage in global leadership and to lead the way on this critical issue, and not to forfeit what is essential, for the United States to position itself on one of the major environmental issues of all time.

I thank the Senator from Virginia, for whom leadership has been the hallmark of his 29 years of service in the Senate. That ennobling quality is now on display yet again today on this vital and timely issue before this body.

We have arrived at this day, as this issue of global warming should no longer be open to serious skepticism. This past week, the U.S. Government released a report that concluded that climate change is affecting the Nation's ecosystems, causing significant changes, such as increasing incidences of severe storms in some areas, and water scarcities from the lack of rain and snowpack in others, along with insect outbreaks and forest fires.

Looking to the future, in the words of the U.S. Department of Agriculture report, ''Even under the most optimistic carbon dioxide emission scenarios, important changes in sea level, regional and super-regional temperatures, and precipitation patterns will have profound effects.''

The bottom line is, this debate is no longer a question of science. It is now a question of our political will to provide solutions to these problems. I believe the substitute bill we will be debating later on this week, with an approach that mirrors closely what Senator KERRY and I called for in the Global Warming Reduction Act that we introduced in the last two Congresses, offers a measure that anyone who has analyzed the science and is honestly committed to addressing global warming can support.

It establishes a Federal program to reduce U.S. greenhouse gas emissions as much as 66 percent by 2050, through a mandatory cap-and-trade program that provides companies with both the flexibility and certainty necessary for their continued viability and growth, while allowing the United States to lead the world in reducing damaging CO_2 emissions for the generations to follow. It presents us with a watershed opportunity that our obligation to the future dictates we must seize now.

I have not come lightly or lately to this debate, having cosponsored the Lieberman and McCain Climate Stewardship Act in the 108th and 109th Congresses, as well as the Global Warming Prevention Act as far back as 1988, when I was a Member of the House of Representatives. So I am left to wonder exactly how far down the road we would be now if we had acted then. That was 20 years ago, when one of the first pieces of climate change legislation was introduced in the House of Representatives and Senate, and here we are, in 2008, and yet we have not engaged this issue in a proactive way as a nation.

Indeed, it has been my concern regarding global climate change that led me to accept an invitation in 2004 to be the cochair of the International Climate Change Taskforce, established by three respected ''think tanks''—the Institute for Public Policy Research in the United Kingdom, the Center for American Progress in the United States, and the Australian Institute.

In working with my cochair, the Right Honorable Stephen Byers of the United Kingdom, our goal was to develop recommendations to blaze a trail for engaging all countries to forge an international consensus for action on climate change, including the United States, China, and India, which are not bound by the Kyoto Protocol, as we all know.

Subsequently, our task force published a series of recommendations in January 2005, ''Meeting the Climate Challenge.'' Right at the top of our list, based on scientific consensus, was the necessity of preventing global temperatures from rising more than 3.6 degrees Fahrenheit, or 2 degrees Celsius, over the course of this century. Beyond that 2-degree Celsius increase, the planet would arrive at a tipping point—a potential abrupt climate change that would have catastrophic effects on our ecosystems and our society. Already, we have witnessed the early warning signals, with the loss of Arctic Sea ice, for instance, that appears to be accelerating faster than scientific models only recently predicted.

So what will it require to ensure we remain below the 2-degree Celsius tipping point? Well, currently, there exists a concentration of 380 parts per million of carbon dioxide in the world's atmosphere. An increase of 2 degrees Celsius correlates with a carbon dioxide concentration at 450 parts per million. Therefore, ensuring we do not exceed this concentration level is absolutely essential.

An additional recommendation in our report calls for the G8 and other major economies, including from the developing world, to form a G8+ Climate Group, to involve major CO_2-emitting countries in the climate change debate to ultimately develop a blueprint for moving forward in the carbon dioxide reduction program.

As a result, the G8+5 Ministerial Level Group was established with the five major developing countries of China, India, Mexico, Brazil, and South Africa. President Bush has expanded upon this idea as the basis for his current Major Economies Meeting. The current G8 president, the Japanese Prime Minister, is employing the same guidance at this summer's G8 Summit.

The point is, we have established we cannot risk an increase of more than a 2-degree Celsius increase in global temperatures. We further know that CO_2

emissions contribute to global warming. There is no doubt this is an international problem requiring an international solution that must include action on behalf of the world's highest CO_2 emitters if the effort is to be effective.

Indeed, our task force specifically recommended that all developed countries introduce national mandatory cap-and-trade systems for carbon emissions, and construct these systems so they may be integrated into a single global market. And that, of course, is the linchpin of the bill before us: a mandatory domestic carbon cap-and-trade system for the United States that would achieve an actual 71 percent emissions reduction by 2050 for the 87 percent of the Nation's emitters that are capped under the bill, with a 66 percent reduction of total U.S. emissions by 2050.

Now, I fully understand this bill represents a major new initiative for the United States. Therefore, I want to underscore that this is not, as some have asserted, a proposed solution to a problem that does not actually exist. We are not being compelled by guesswork or by unsubstantiated theory or by popular perception. We are being led by the facts.

This past year, the scientists on the United Nations Intergovernmental Panel on Climate Change—who shared in the 2008 Nobel Peace Prize—recently completed the IPCC's Fourth Assessment Report, which was 6 years in the making, and drew on the work of more than 2,500 scientists, 800 contributing authors, and 450 lead authors. As the ranking member of the Commerce Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, which oversees the National Oceanic and Atmospheric Administration, I wish to congratulate the 120 NOAA scientists—NOAA scientists, I add—who were part of Working Group I, the Physical Science Basis of the International Panel on Climate Change, who shared in the Nobel Peace Prize. You can see all the names listed on this poster I have right here: 120 of our own scientists who reached the same conclusions.

I ask unanimous consent that the names of these exceptional Federal scientists be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NOAA 2007 PEACE PRIZE LIST

Dan Albritton, J.K. Angell, John Antonov, Phillip A. Arkin, Raymond A. Assel, John Austin, A. Barnston, J. Bates, T. Bates, Tim Boyer, A. Broccoli, H. Brooks, Kirk Bryan, Earle N. Buckley, James L. Buizer, J.H. Butler, Muthuvel Chelliah, Thomas J. Conway, W. Cooke, M. Crowne.

J.S. Daniel, Margaret Davidson, Thomas L. Delworth, H.F. Diaz, Keith Dixon, Ed Dlugokencky, B. Douglas, David Easterling, James W. Elkins, William P. Elliott, R.E. Eskridge, J. Everett, David W. Fahey, James Fahn, Lisa Farrow, Richard Feely, Fred Fehsenfeld, Josh Foster, Melissa Free, Dian J. Gallen (Seidel), K. Gallo, Hernan Garcia.

Byron Gleason, S.M. Griffies, Pavel Groissman, A. Gruber, Richard Gudgel, G. Gutman, Y. Hayashi, J. Hayes, J. Haywood, Isaac Held, Masao Kanamitsu, Sally Kane, Thomas Karl, George Kiladis, Richard W. Knight, Thoms Knutson, Chris Landsea, John Lanzante, E. LaRoe, Ngar-Cheung Lau.

R. Lawford, Jay Lawrimore, Ruby Leung, David Levinson, Sydney Levitus, Clement Lewsey, C. Liu, Robert E. Livezey, S. Manabe, Martin Manning, Ken Masarie, Michael McPhaden, James H. McVey, J. Meehan, Richard Methot, Richard B. Mieremet, John B. Miller, Robert Molinari, Stephen A. Montzka, David Mountain.

D. Murphy, Claudia Nierenberg, J. Norris, Paul C. Novelli, George Ohring, J. Overpeck, T. Owen, Tsung-Hung Peng, Thomas Peterson, Stephen R. Piotrowicz, Roger Pulwarty, R. Quayle, Frank H. Quinn, Patricia Quinn, Venkatachalam Ramaswamy, George Reid, R.W. Reynolds, Sergei Rodionov, C.F. Ropelewski, Anthony Rosati.

Karen Rosenlof, R. Ross, Christopher Sabine, Russ Schnell, M.D. Schwartzkopf, Dan Schwarzkopf, Kenneth Sherman, Caitlin Simpson, Susuaon Solomon, D.J. Stensrud, William Stern, Macol Stewart, R. Stewart, Ronald J. Stouffer, Tonna-Marie Surgeon, Pieter P. Tans, Juli M. Trtanj, Russell Vose, Rik Wanninkhof, Richard T. Wetherald, Stan Wilson, M. Winton, Scott D. Woodruff, David Wuertz, Bruce L. Wyman, P. Xie, T. Yamada.

Ms. SNOWE. The IPCC's key findings were agreed to unanimously by more than 130 governments, including those of the United States, China, India, and the European Union, and now are forming the basis for international policy. For the first time since its first assessment in 1990—and I repeat, 1990—the IPCC concluded that there is at least a 90-percent chance that manmade activities, through the burning of fossil fuels, are the major cause of global warming.

Now, if we were told in any sphere that we had at least a 90-percent chance of diverting a disaster through changes we ourselves could make, would we not take action? Is the IPCC finding not a compelling reason to assume reasonable steps when climate change is occurring, even beyond the projections that were outlined just decades ago?

So here on these charts we have some illustrations of just what the science is referring to: Arctic sea ice from NASA's images taken in 1979, 2005, and again in 2007 displaying the increase in the melting of the polar ice in September when the sea ice is usually at a minimum each year. So you can see the differences. In 1979, when we can see the sea ice, we can see the masses of the sea ice, and then, of course, you look progressively and see what has happened in 2005 and 2007 and you see the demonstrative difference and discrepancies of what is happening with the melting process just since 1979.

When you look at the amount of sea ice noted in September, it looked like this massive amount in 1979; and here we are progressively to 2007: Obviously, we have a serious problem that the global community needs to recognize and we need to address. That is why we cannot forfeit our leadership in this process. It is quite obvious that more of the sea ice has melted than ever before. When you look at the 2007 picture, it obviously indicates how alarmingly the sea ice has diminished, even opening the Northwest Passage. This is some of what the U.S. Department of the Interior looked at when listing the polar bear as threatened under the Endangered Species Act, as its habitat is literally melting away.

The May 29 U.S. Climate Change Science Program called ''The Scientific Assessment of the Effects of Global Change in the United States'' stated that the 2007 Arctic sea ices were 23 percent below the previous all-time minimum observed in 2005. I will repeat that because that is significant. By our own report that was issued just last week saying that Arctic sea ices were 23 percent below the previous all-time minimum observed in 2005, in just 2 years we see a decline of more than 23 percent. Some models suggest that the Arctic Ocean is likely to be free of summer ice as soon as 2040.

Closer to home, the report stated that the energy sector will be subject to the effects of climate change through direct impacts from increased intensity of extreme weather events. Increasingly, global temperatures, rising sea levels, and changing weather patterns will pose significant challenges to the Nation's roads, airports, railways, transit systems, and ports. What we are talking about is our energy and transportation network that is vital not only to the entire U.S. economy but to our quality of life.

The new facts just keep on coming. Just last month a study was published in the Journal of Science called ''Expanding Oxygen Minimum Zones in the Tropical Ocean,'' warning that marine zones where fish and other sea life can suffocate from lack of oxygen are spreading across the world's tropical oceans. Scientists warn that if global temperatures keep rising, there could be dramatic consequences for marine life and for humans and communities that depend on the sea for a living.

So let's move beyond the question of should we act, as many of our own States have chosen to do. Maine, California, Hawaii, Minnesota, New Jersey, Oregon, and Washington have all had mandatory climate laws on the books that mandate limits on greenhouse gas emissions. At least 23 States have joined one of the three regional partnerships that will require greenhouse gas and just carbon dioxide emission reductions.

Set to take effect in 2009, the Northeast Regional Greenhouse Gas Initiative, known as RGGI, is a partnership of 10 Northeast and Mid-Atlantic States, including my own State of Maine, that creates a cap-and-trade system to limit carbon dioxide emissions from powerplants. Yet while the States have moved out on the vanguard as their citizens have demanded, Congress has delayed, hiding behind the red herring of arguments of scientific uncertainty rather than considering

the truth that peer-reviewed science has revealed.

The legislation before us has been crafted to respect the courageous initiative of these States while recognizing that a patchwork of State-to-State regulation is a serious impediment for U.S. businesses and industry. It does not preempt existing State policy or State authority to limit or to avoid greenhouse gas emissions but, rather, authorizes transition funds to assist the Northeast Regional Greenhouse Gas Initiative partners, for instance, in meshing with the new Federal program if they so choose.

We have worked to make additional improvements to the bill that was passed out of the Senate Environment Committee to garner the breadth of support necessary to get this bill passed. But I think it is illustrative of the States' leadership that 23 States have already been willing to take action, to be progressive, to understand the dimensions of this problem, and that they are willing to accept the challenges and also the costs of being able to move forward independently and separately because the Federal Government has failed to take action; that the Congress has failed to take action for so long that 23 States across this country have been prepared to do it.

So this legislation recognizes that. That is why it is important to give the certainty of a Federal standard so that businesses can operate knowing what regulations will be in play. In fact, businesses have joined together with environmental organizations to reach an agreement, understanding that it is in the national interest to work in concert and to understand as they prepare to make the investments for 40 and 50 years beyond. That is the point of having a national standard. That the States have been prepared to assume that leadership irrespective of the failure of the Congress to address it certainly illustrates their willingness and their courage to move forward on this critical issue.

For those who have expressed concerns about the impact to the Federal budget, this new substitute is now deficit neutral, according to a June 2 CBO report. I ask unanimous consent to have this CBO report printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

(June 2, 2008)

Lieberman-Warner Climate Security Act of 2008.—A substitute amendment for S. 3036 transmitted to CBO on June 2, 2008

Background: S. 3036 would set an annual limit or cap on the volume of certain greenhouse gases (GHGs) emitted from electricity-generating facilities and from other activities involving industrial production and transportation. Under this legislation, the Environmental Protection Agency (EPA) would establish three separate regulatory initiatives known as cap-and-trade programs—one covering most types of GHGs, one covering hydrofluorocarbons (HFCs), and a third program to cover the carbon emissions embodied in imported goods.

EPA would establish a quantity of allowances for each of calendar years 2012 through 2050 and would auction some of those allowances. The proceeds would be used to finance various initiatives, such as developing renewable technologies, assisting in the education and training of workers, and providing energy assistance for low-income households. EPA would distribute the remaining allowances at no charge, to states and other recipients, which could then sell, retire, or use them, or give them away. Over the 40 years that the proposed cap-and-trade programs would be in effect, the number of allowances and emissions of the relevant gases would be reduced each year.

Funds from the auction of allowances are considered to be federal revenues and the spending of the auction proceeds to be federal outlays. In addition, because the government would be essential to the existence of the allowances and responsible for the readily realizable monetary value of them through its enforcement of the cap on emissions, and because the market for non-HFC allowances would be relatively liquid, CBO considers the distribution of those allowances at no charge to be functionally equivalent to distributing cash.

Finally, because the receipts from selling or giving allowances away would effectively be an indirect business charge that reduces the federal tax base for income and payroll taxes, in most cases, CBO adjusted a portion of the gross gain to the federal government from auctioning and giving away allowances to account for reductions in other federal revenues; we assume that tax offset totals 25 percent—an approximate marginal tax rate on overall economic activity.

CBO's cost estimate for S. 2191 (the Lieberman-Warner Climate Security Act of 2007), as ordered reported by the Senate Committee on Environment and Public Works on December 5, 2007, includes a detailed discussion of how the budgetary treatment of the cap-and-trade program, including a discussion of how tax offsets are applied to the revenues generated by allowances auctioned and given away. It also describes the methodology that CBO uses for analyzing this type of legislation. That estimate was provided to the Congress on April 10, 2008.

Estimated cost of the amendment: CBO estimates that enacting the amendment would increase revenues by about $902 billion over the 2009–2018 period, net of income and payroll tax offsets. That estimate excludes revenues from the sale of international reserve allowances for imported goods because CBO has not had sufficient time to analyze the impact of such allowances and to assess either the number or value of those allowances that would be auctioned. Over the next 10 years, we estimate that direct spending would total about $836 billion. That figure also excludes any spending of proceeds from the auction of international reserve allowances for imported goods because the spending of any such receipts would be subject to future appropriation acts. The additional revenues from enacting this legislation would exceed the new direct spending by an estimated $66 billion, thus decreasing future deficits (or increasing surpluses) by that amount over the next 10 years (see table below).

CBO has not completed its estimate of spending that would be subject to future appropriation action. Therefore, this estimate does not address such spending. In years after 2018, net revenues attributable to the legislation would exceed annual direct spending through 2050.

Intergovernmental and Private-sector Mandates: The amendment would impose private-sector mandates, as defined in the Unfunded Mandates Reform Act (UMRA), with costs that substantially exceed the annual threshold established in UMRA for private-sector mandates ($136 million in 2008, adjusted annually for inflation). The most costly mandates would require certain private-sector entities to participate in the cap-and-trade programs for greenhouse gas emissions created by the bill.

CBO estimates that the cost of complying with those mandates would total tens of billions of dollars annually.

ESTIMATED IMPACT ON REVENUES AND DIRECT SPENDING OF A SUBSTITUTE AMENDMENT TO S. 3036, TRANSMITTED TO CBO ON JUNE 2, 2008

	By fiscal year, in billions of dollars—											
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2009–2013	2009–2018
CHANGES IN REVENUES[a]												
Proceeds from Auctioning Allowances:												
Allocated for Government Activities	0.7	0.7	0.8	17.8	18.2	19.3	20.3	21.3	22.3	26.0	38.1	147.3
Allocated for Spending Subject to Appropriation	0.5	0.5	0.6	11.0	11.7	12.3	13.9	15.1	16.1	18.1	24.3	99.9
Free Allocation of Allowances	0	0	19.6	83.1	84.4	83.6	88.4	93.9	98.8	102.3	187.1	654.1
Other Revenues	0	*	*	*	*	*	*	0.1	0.1	0.1	0.1	0.3
Total Estimated Revenues	1.2	1.3	21.0	111.8	114.3	115.2	122.6	130.4	137.3	146.5	249.6	901.6
CHANGES IN DIRECT SPENDING												
Spending from Auction Proceeds:												
Estimated Budget Authority	0.9	1.0	1.0	23.7	24.3	25.8	27.0	28.4	29.7	34.6	50.8	196.4
Estimated Outlays	0	0.2	0.5	5.6	11.3	16.4	21.3	24.8	26.7	28.5	17.5	135.2
Spending from Freely Allocated Emission Allowances:												
Estimated Budget Authority	0	0	19.6	88.5	90.2	89.7	94.8	100.9	106.2	110.1	198.3	700.0
Estimated Outlays	0	0	19.6	88.5	90.2	89.7	94.8	100.9	106.2	110.1	198.3	700.0
TVA and Other Spending:												
Estimated Budget Authority	0	*	*	*	*	*	0.1	0.1	0.3	0.5	*	1.0
Estimated Outlays	0	*	*	*	*	*	0.1	0.1	0.3	0.5	*	1.0
Total Changes:												
Estimated Budget Authority	0.9	1.0	20.7	112.2	114.4	115.5	122.0	129.3	136.1	145.2	249.1	897.3
Estimated Outlays	0.1	0.2	20.1	94.1	101.4	106.1	116.2	125.7	133.1	139.1	215.8	836.1

ESTIMATED IMPACT ON REVENUES AND DIRECT SPENDING OF A SUBSTITUTE AMENDMENT TO S. 3036, TRANSMITTED TO CBO ON JUNE 2, 2008—Continued

	By fiscal year, in billions of dollars—											
	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2009–2013	2009–2018
NET CHANGE IN THE BUDGET DEFICIT OR SURPLUS FROM CHANGES IN REVENUES AND DIRECT SPENDING												
Impact on Deficit/Surplus[b]	1.2	1.1	0.9	17.8	12.9	9.2	6.3	4.7	4.2	7.4	33.8	65.5

Notes: * = less than $50 million; TVA = Tennessee Valley Authority.
Components may not sum to totals because of rounding.
The bill would affect spending subject to appropriation, but CBO has not yet completed its estimate of such spending.
[a] Revenue estimate does not include proceeds from the sale of international reserve allowances for imported goods.
[b] Positive numbers indicate decreases in deficits (or increases in surpluses); negative numbers indicate increases in deficits (or decreases in surpluses).

The amendment also contains several intergovernmental mandates as defined in UMRA. CBO estimates that, during the first five years following enactment, states would realize a net benefit as a result of this bill's enactment (resulting from the allowances they would receive). Therefore, the annual threshold for intergovernmental mandate costs established in UMRA ($68 million in 2008, adjusted annually for inflation) would not be exceeded.

Previous CBO estimates: On April 10, 2008, CBO transmitted a cost estimate for a substitute amendment to S. 2191, the Lieberman-Warner Climate Security Act of 2007, as ordered reported by the Senate Committee on Environment and Public Works on December 5, 2007. That substitute amendment to S. 2191 was introduced as S. 3036, the Lieberman-Warner Climate Security Act of 2008, on May 20, 2008. CBO has estimated the budgetary impact of those versions of this legislation as follows:

S. 2191, as ordered reported by the Senate Environment and Public Works Committee on December 5, 2007, would increase deficits (or decrease surpluses) by $15 billion over the 2008–2017 period; and

An amendment to S. 2191 that was introduced as S. 3036 on May 20, 2008, would reduce deficits (or increase surpluses) by $78 billion over the 2008–2017 period.

Estimate prepared by: Federal Costs: Susanne S. Mehlman. Impact on State, Local, and Tribal Governments: Neil Hood. Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Ms. SNOWE. At the same time, the bill also allows us to respond to the complex issues of curbing greenhouse gas emissions while squarely confronting the argument that reducing carbon dioxide emissions will damage our economy. To the contrary, funds generated for the Federal Government from this auction of carbon emission allowances that are established under this legislation can be held, purchased, or sold in the program's first 18 years so that it can generate $1 trillion for clean technology, in worker training and retraining programs.

Moreover, the bill provides funding to help industry meet the new emissions targets not just in the short term but all the way through 2050. So it has a long-term view and also accepts the long-term responsibilities and obligations that accompany this legislation. It also encourages low and zero carbon technologies that would change as the technologies are developed and come on line by placing a cost on greenhouse gas emissions. But it also offers the private sector the certainty they require with respect to the laws they must comply with well into the future before they invest in low and zero carbon technologies. That is important so that businesses not only understand the standards that will be established for the next 40 to 50 years; it also is logical for them in terms of making their decisions, their financial investments, and understanding what the long term will prescribe.

In addition, this bill provides a range of funding incentives from manufacturers of high efficiency consumer products, manufacturers with zero and low carbon generation technology, advanced coal technology, fuel from cellulosic biofuels, electric vehicles, hybrid or plug-in electric cars, fuel-cell-powered cars, and advanced diesel—all areas of potential future economic growth that should put America well on its way toward developing the alternative technologies that are so essential to making us independent of fossil fuels.

The substitute legislation to the Climate Security Act also adds $800 billion through 2050 for a tax relief package to help consumers with energy costs that will be developed by the Senate Finance Committee. It also will provide $250 billion in funding through 2050 from auction revenues for States to assist them in protecting against possible future effects of climate change such as storm surges and rising sea levels in coastal States. In addition, $566 billion will be provided through 2050 for States that take action to reduce greenhouse gas emissions and that the funding can be used for specific State purposes such as the LIHEAP program and energy efficiency programs as well.

I am also pleased that the Climate Security Act has included language from a bill that Senator KLOBUCHAR and I introduced establishing a robust tracking system to inventory greenhouse gas emissions from significant sources across this country. This was a critical first step that the European Union did not have in place when instituting their emissions training system, and as a result of this lack of accurate data, they gave away too many allowances to industry that could be traded, and the carbon market bottomed out.

The substitute further includes strong market oversight provisions from legislation that Senator FEINSTEIN and I introduced to ensure price transparency and prevent market manipulation and other abusive practices when carbon emission allowances are sold in the carbon market created by this legislation.

This bill is not perfect, but in fact it does go hand in hand with robust economic growth. The science of the matter tells us that business as usual certainly is not an option. Adhering to the status quo will continue current U.S. job losses to other countries that must be brought under the same umbrella for greenhouse gas reductions as we are attempting to do with this legislation through international mechanisms and partnerships. There should be no reason for good U.S. jobs to move overseas and be lost to those countries with no checks on their lax environmental laws.

The only other alternative which some of my colleagues and economists have called for is a carbon tax. Yet those in favor of a carbon tax and not a free market cap-and-trade system cannot guarantee that a tax will achieve the necessary environmental protection. If a tax is set too low, companies will simply pay the tax without reducing emissions. If a tax is set too high, unnecessary costs will be imposed upon businesses and consumers, especially on low-income Americans. A flexible but mandatory cap and trade allows market forces to find the lowest cost solutions for the desired level of environmental protection.

Additionally, according to the Government's own Energy Information Agency, under this legislation the U.S. gross domestic product will continue to grow. In 2003, the EIA finds that the GDP would be just 3 percent lower than under a ''business as usual'' scenario.

At the same time, the largest proportion of revenues—hundreds of billions of dollars that this legislation will generate through the transaction of carbon credits—will be designated to develop and deploy technologies to transform existing energy sectors and to create entirely new green industries such as solar, wind, renewable industries, cellulosic biofuels, hybrid, plug-in cars, as I mentioned previously, as well as high-paying jobs and to wean us off carbon dioxide-polluting fossil fuels.

As we look to the future, we must also be reminded that reducing our carbon emissions means reducing our use of oil. When we spend more than $500 billion purchasing imported oil, helping to finance the radical ambitions of radical leaders, do we really want to say we are unable to summon the innovative can-do spirit on which this country was built to break our dependence on fossil fuel and foreign oil? This

legislation is a monumental step forward in severing that bond and advancing our energy security and our national security, and we must not wait a moment longer.

Mr. President, I would prefer that the Substitute bill contain measures to update the means by which the U.S. prioritizes its scientific research . . . reports this research to stakeholders and Congress to assist in decisionmaking . . . and transmits this information to planners who must establish mitigation and adaptation plans at local, state, and regional levels. The Global Change Research Improvement Act I have introduced with Senator KERRY that has already passed out of the Commerce Committee addresses this issue and should be considered in the context of this bill.

Moreover, Senator KERRY and I have an amendment requiring the National Academy of Sciences to advise Congress to act if future scientific research demonstrates that changes must be considered to meet percentage emissions reductions goals.

Ultimately, however, there should be no misunderstanding—thissubstitute bill represents the defining opportunity of this 110th Congress for reversing the unmitigated damage that climate change continues to cause, and to assist every State in its ability to adapt. And if the UnitedStates is to meet its commitments made under the Bali Roadmap to reach an international agreement among all countries for greenhouse gas emissions reductions for common but differentiated obligations by December of 2009, we should also say ''yes'' to the amendment Senator BIDEN will offer to set us on the right course for this process. This week and next, over 2,000 U.N. delegates from around the world are meeting in Bonn, Germany, to take the next steps forward for the Bali Roadmap—and what we do right here and right now is enormously critical in their planning for moving forward.

Let us not allow this opportunity to slip out of our grasp—the world is watching and waiting to see what the world's richest country—and its biggest emitter—has the fortitude to do.

Mr. President, I yield the floor.

Mr. INHOFE. Mr. President, I am going to just take a second on the rebuttal time, and then I am going to go ahead and yield to the Senator from New Hampshire. But my distinguished colleague, the junior Senator from California, several times talked about tax relief. I think it is time that we take this out, look at it, and put this issue to sleep.

At a press conference on June 2, the distinguished Senator said:

> Today is the day to say yes to clean energy, yes to green jobs, yes to science, yes to energy independence, yes to tax relief.

Later on in the same news conference:

> We also have in this bill a very large piece, almost $1 trillion of tax relief so that when we do see some energy increases in energy costs in the early years, electricity, for example, we can offset that.

In other words, send that back to those people as tax relief.

This bill has one of the largest tax cuts we have seen around this place in a long time. What does the bill say about this? It says the tax relief in the bill is a nonbinding sense of the Senate that says some funds ''should be'' used to protect consumers from the coming ''increases in energy and other costs.'' Here is the quote:

> It is the sense of the Senate that funds deposited in the Climate Change Consumer Assistance Fund under section 583 should be used to fund a tax initiative to protect consumers, especially consumers in greatest need, from increases in energy and other costs.

Now, I only say here that this does not direct any money to be paid. It doesn't authorize any money to be paid. Besides, if it did, it would have to go to the Finance Committee. So there is no tax relief in the bill.

I yield 10 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER (Mr. PRYOR). Is the Senator from New Hampshire taking the time of the Senator from Tennessee?

Mr. INHOFE. Yes.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I thank the Senator from Oklahoma for his courtesy in finding a spot for me to speak.

This is obviously a bill of immense proportions and implications for us as a nation, for our economy, for consumers, for our place in the world, and for how we deal with the passing on of the quality of life that we have to our children so they can live in an environment that will sustain them and be sure that we do not overly pollute our world or atmosphere.

I think the Senator from California needs to be congratulated for moving the initiative forward. It is my opinion that this is a debate that needs to be pursued aggressively. I respect all the different parties' views on this. There has been an excellent discussion of how to proceed in this area.

In the past, I have strongly supported initiatives that are similar to this effort, in the sense that they tried to reduce the amount of pollutants we put into our atmosphere through a variety of different means. The Lieberman-McCain bill and the Carper-Alexander bill, both of which I have supported, had attempted to do this also.

This bill, however, is much more comprehensive, much more extensive, and the implications are far greater to our economy and to our quality of life in the United States.

It is safe to say that were this bill to become law in its present form, it would impact our future as much as anything that we could do—after addressing the issue of defeating global terrorism as they attempt to try to destroy our culture—and making sure we are fiscally solvent as a result of the cost of programs we already have on the books, such as entitlements. So it is a tremendous issue and deserves serious and thoughtful consideration, which it is getting so far in this debate.

I respect both sides of the argument. I find myself, on this issue, in a variety of different camps because I am attracted to parts of the bill, and I find parts of the bill to be very difficult. I am not going to get into all the different elements. I am concerned about the effect on our competitiveness internationally. I am concerned that if we put limitations on our economy in place, economies such as India and China, which will not be subject to these limitations, will simply pursue courses that will end up polluting at a rate that overwhelms whatever we save and that, as a practical matter, we may significantly undermine our competitiveness.

I am concerned about how this cap-and-trade issue is going to work. I am concerned that NO_X and carbon are not addressed. I am concerned that we are looking at an issue of how the science is not up to speed with the requirements being put on the industries that must reduce their pollution, or NO_X itself. There is a legitimate question of whether we are putting the cart before the horse relative to the science of the capacity to deliver these savings. For example, in the area of savings and the reduction of pollutants, I believe strongly that we need to pursue a much more aggressive policy in the area of nuclear. But the question of whether we can bring on line the nuclear generating capacity necessary to meet the requirements of this bill is very much an issue and very much in doubt, simply because of our permitting procedure in this country, coupled with the fact that the industrial complex in this country doesn't have the capacity to produce the nuclear plants in the timeframe necessary in order to comply with what would be the reduction necessary in this bill. Those are some of my concerns.

Again, I come back to the fact that I think the concept of cap and trade, as proposed in the bill, is a path we need to seriously consider going down. However, on a parallel path, I have a very severe concern, serious concern, and that is that this bill, under its present structure, is going to generate value of approximately $6.7 trillion over its life. Over the next 10 years, it is estimated that the sale of these allowances will approximately be a billion dollars. Most of this will come into the Federal Treasury—not all of it—and then under this bill it gets spent, for the most part. There is $800 million set aside, theoretically, but it is done by a sense of the Senate, as was noted. The vast majority of the money gets spent by creating new programmatic activity and expanding the size of the Federal Government.

Now, this $6.7 trillion is costs that will be passed on to the American consumer in the form of increased electrical bills. I think the American consumer is willing to pay a higher price for electricity if they feel they are significantly and positively impacting the reduction of the emission of greenhouse gases that are affecting our climate. I am willing to vote for putting that type of cost into place. But what I am not willing to vote for is taking that money and using it to radically expand the size of the Federal Government.

If you look at the proposals in the bill, it essentially becomes the most massive exercise at earmarking we have ever seen. It dwarfs the farm bill, which is hard to do, when it comes to earmarks. As a very practical matter, that is not fair to working Americans. Working Americans, under this bill, are going to be hit with a new consumption tax. That is what this bill does. It creates a massive new consumption tax, called allowances, which get sold, but the price of paying for those allowances will go back into the rate base and will raise the cost of electricity and will be a consumption tax.

Americans, working at their jobs and trying to make ends meet, trying to take care of their families, are going to see their energy bills go up because they will get hit with this new consumption tax. I believe very fervently that if we are going to go down this road of creating this massive new consumption tax, the purpose of which is to promote the reduction of greenhouse gases, which will reduce our negative impact on the global climate, we need, at the same time, to reduce for working Americans the burden of their taxation in other places. This should be a one-for-one trade, very simply. If we are going to say to working Americans that we are going to increase your consumption tax by $6.7 trillion, or if you take out the money that is under here and represented as a sense-of-the-Senate tax reduction, it will be around $4-plus trillion—if you are going to have that type of major tax impact and essentially shift the economy to a national consumption tax—and many States have those consumption taxes, but there is no national one. If you are to shift to a national consumption tax, then you need to take those dollars and reduce the burden on working Americans, one for one, so you mitigate the impact on their quality of life, on their ability to be productive citizens, and on their ability to pursue a lifestyle they can afford.

There are a variety of ways to do this. You can reduce income taxes. You can take the consumption tax, which is going to flow into the Treasury, and move it to the reduction of income tax rates or you can take the consumption tax, which is going to fall under the Federal Treasury through these allowances, and you can use it to reduce the FICA tax, the Social Security tax, which is an across-the-board tax that all Americans pay or you can take the consumption tax, which is going to be generated by this bill, and you can use it under some sort of rebate proposal such as that which has been proposed by the Senator from Tennessee, where people making less than $150,000 would get a rebate reflecting the amount of money coming into the Treasury under the allowances.

Have I used 10 minutes?

The PRESIDING OFFICER. Yes.

Mr. GREGG. Mr. President, I ask unanimous consent for another 5 minutes.

Mrs. BOXER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. Then, Mr. President, I ask unanimous consent for 2 more minutes.

Mr. WARNER. Mr. President, I will yield my good friend a minute or two off my time. Several Senators, including myself, are waiting to talk. I yield him 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for 2 more minutes.

Mr. GREGG. I thank the Senator.

Mr. President, what we should not do with this major new consumption tax is use it to expand the size of the Federal Government, to put in place a series of initiatives that are essentially being used for the purpose of building constituencies that will support this bill. That is the way legislation passes here, but it is wrong—wrong when we did it in agriculture and especially wrong when we do it in the energy production area.

American consumers should not be hit with this tax and have no tax cut or rebate coming to them on the other side of the ledger to try to mitigate the impact of this consumption tax.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I know there is rebuttal time now. I intend only to speak for a short period of time.

Mr. WARNER. Mr. President, I was going to answer the Senator's questions.

Mrs. BOXER. I will yield 3 minutes of the rebuttal time to Senator WARNER.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I was interested in the comments the Senator made. What the Senator has described—tomorrow, I will have a better pie chart for colleagues to look at. The money that comes in through the bill is to be distributed primarily to companies, entities developing new technology as to how to solve the very question the Senator raises; namely, will technology be available for the sequestration? So it is not as if it is going to be distributed similar to leaflets and dropped all over. This money is going for the purpose of trying to improve America's sources of energy.

Mr. GREGG. According to the earmark list I have, $191 billion goes to worker training, $171 billion goes to mass transit projects, $237 billion goes to natural resource and wildlife adaptation, $288 billion goes to Federal programs of natural resources, $342 billion goes to international climate change, $300 billion goes to agriculture and forestry, and $368 billion goes to reforestation. Under these numbers, only $136 billion out of the trillions of dollars goes to energy efficiency block grants, and that is for local governments.

Mr. WARNER. I say to my good friend, give me until tomorrow. He reads off correctly some of the allocations, but each of them has some benefit to the problem of the CO_2 and global climate change; each one is carefully thought through. So tomorrow I will be able to give this to you in greater detail, once we get before us the actual amendment or the bill that we are going to hopefully continue to debate with the amendment process.

The second question the Senator asked about was the nuclear program. There is nothing in any of the bills that have been put into the record thus far, but I have the amendment here to initiate a very significant program to address what the distinguished Senator said is the need for nuclear power to begin to expand, using the current base, which, as he well knows, and I know, has been reduced in the last 12 to 14 years to where it is hardly in existence, either manufacturing or educational. But I have that handled.

Lastly, I hope the Senator will spend a little time on a provision I have in this bill by which the President of the United States is given authority to at any time correct inequities or problems he thinks are incorrect.

The PRESIDING OFFICER. The Senator has used 3 minutes.

Mr. WARNER. Have I not 17 minutes also?

The PRESIDING OFFICER. The Senator from California has reserved 2 minutes of her rebuttal time.

Mr. WARNER. I can finish my 17 minutes and yield it back for the benefit of other colleagues because I have had my fair share talking about this bill.

Mrs. BOXER. Mr. President, before my friend leaves the floor, I thank him for a meeting in his office where he gave me this great idea. As a result of that meeting, I say to Senator GREGG, we took another look at the bill. Half of the bill is going back to consumers. Actually, a third of that—there are three pies: $800 billion goes into a tax cut. Senator INHOFE said it is not specific. We did it as far as we could. We know it is a fund for tax cuts. There is $900 billion for a deficit reduction trust fund, and $900 billion goes into a fund so that utilities can help our consumers. I thank him for that contribution.

When my friend came before the committee, I was so hopeful he would join with us because Senator GREGG made a beautiful statement. He said:

States alone can't solve the problem. I believe Congress must take action to limit the

emissions of greenhouse gases from a variety of sources.

He talked about mandatory limits on greenhouse gases. I honestly thought this bill we worked on would be something my friend could support.

I will say, to talk about a consumption tax, you can make up anything and call it what you will. There is no consumption tax in this bill. This bill is modeled on the acid rain bill. The acid rain bill works the same way—cap and trade. No one ever called that a consumption tax.

Mr. WARNER. Mr. President, if I may return to my allocation of 17 minutes.

The PRESIDING OFFICER. The Senator from Virginia has 15 minutes.

Mr. WARNER. I also say to my friend from New Hampshire, I call to his attention section 434, in which Congress has oversight on the use of these funds. Congress can change them.

Mr. GREGG. That is what I worry about.

Mr. WARNER. Mr. President, I recognize he has a point there.

This situation, where I devised a provision to give the President the authority, in my view—in earlier days, I was in aviation. Unfortunately, I never fully succeeded to become an aviator. We used to have a stick in the old days, before all this other stuff, when we had tandem seats—believe it or not, I flew in those old planes—you pull the stick forward, pull it back, roll it. The President has the stick, and he can change this if this bill is wrong. But we have to get this train out of the station and start it rolling down the rails.

Fifty States are trying to devise their own framework of laws now. That has to be a nightmare to industry and particularly the power companies that have to serve a multiple of States.

We simply have to show the world this country can lead, and no one is a stronger leader than the Senator from New Hampshire in this body. He understands that.

Mr. GREGG. Mr. President, if the Senator will yield for a brief intercession.

Mr. WARNER. Go ahead.

Mr. GREGG. I agree. In fact, the Senator from California clearly states my position, which is I support initiatives in this area. I support mandatory initiatives in this area. What I am concerned about is that these allowances—which really are a consumption tax, in my opinion—will essentially be used to greatly expand the Government. If we were to take that section out of the bill and just basically take those dollars and give them back to the taxpayers without having this huge section which essentially creates huge new initiatives in all sorts of different areas, I think you would have a very workable bill.

Mr. WARNER. I say to my good friend, where do we get the money to perfect sequestration? That troubles me the most. I do not think science has proven that we can actually capture the CO_2, cost effectively transfer it, and put it safely into some type of repository, an old gas well.

Mr. GREGG. If the Senator will yield further, Mr. President.

Mr. WARNER. Yes.

Mr. GREGG. If we are going to limit dollars spent to technology advancement, I guess I could be receptive to that, some percentage. But the vast majority of the dollars—that is not going to take that many dollars compared to the money we are dealing with here, $6.7 trillion. If you want to take some percentage of that and use it for expansion of technology purely on the technology side, that may make sense. This bill goes way beyond that. It has all sorts of initiatives in here which are only at the margin of the issue of technology, in my opinion. Where the dollars really should go is to reduce the tax burden for the people who are going to have the higher energy prices.

Mr. WARNER. Mr. President, I simply say to my good friend, we have a difference of opinion.

I will conclude my remarks. I congratulate the managers of this bill, the distinguished Senator from California and the distinguished Senator from Oklahoma. I have been here a few years. I know about managing bills. I have had that privilege many times. But it has been done fairly, equitably, and in a civil way on a highly controversial subject. May it remain for the balance of the time that this institution, I hope, votes for this bill and comes up with some solution to the problem. We simply cannot do nothing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that my 5-minute rebuttal time I would normally use be added to my statement after the conclusion of the remarks of the Senator from Idaho since he has time allocated now.

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

The Senator from Idaho.

Mr. CRAIG. Mr. President, I thank the managers of the bill, the chairman of the Environment and Public Works Committee for the debate that has gone on.

The chairman was opining a few moments ago that the debate today had been focused on gas and high gas prices and that somehow her bill was going to push gas prices even higher. That may happen. I don't know that. What I do know today is that the American consumer is fed up with $4 gas, and anything we do that would even risk pushing gas prices higher ought to make the American consumer mighty unhappy.

So I say to the chairman tonight, I am not going to talk gas prices, I am going to talk something different because I was convinced, based on my time on the Environment and Public Works Committee and having crafted a bill that got hearings, got a markup, and was ready to come to the floor when the chairman's staff took it, turned it inside out, and brought it back to the floor in an unheard document, I was convinced then gas prices were going to go up, and I think my colleagues this afternoon who have spoken openly in opposition to this bill have strongly made the case that the American consumer is going to pay mightily for this bill that is before us if, in fact, it becomes law.

So I am a bit puzzled when I hear the title of ''Climate Security Act.'' I am confident that this might protect the environment, but what does it do for people? What does it do for the consumer who is going to be put through a financial wringer, not only with their home heating bill but continually at the gas pump, if the chairman of the Environment and Public Works Committee, Senator BOXER, has her way?

Why don't we call this bill the China-India Economic Stimulus Act of 2008, because clearly those countries that are rapidly becoming the largest emitters of greenhouse gas are going to be allowed to run free in the world economy while we put the clamps on our economy. That is a reality we all know and to which the American consumer has already reacted. Fewer jobs in our country, more jobs in China—does that make economic sense at a time when our economy is struggling? We are just going to stick another hole in our economy and send those jobs to India or China? Or maybe we could call this the U.S. Recessions Act of 2008.

I have said it, I believe it, I have been in this Congress 28 years, and I have never seen a piece of legislation to equal this one. It is the largest single redistribution of wealth in our country ever tried by the human mind through the public policy process. To me, that is frightening—frightening for my grandchildren and their future, frightening for the Idaho economy, frightening for the U.S. economy. And what are we going to do about it? We are going to stand here and say: But it saves the world. I am not going to argue that the world isn't worth saving because I want to spend a few more years in it, but I want to make darn sure the world in which I live and my children live is a world that is at least as good as the one we have today from the standpoint of the environment and from the standpoint of the economy and the economic opportunities that come from that economy for my children and my grandchildren.

Is this micromanagement as I describe it? We just heard the Senator from New Hampshire begin to worry about $100 billion here, $100 billion there, and $100 billion over here, and the Senator from Virginia says: Well, we have to have some money. Yes, we do, but we are talking trillions of dollars. That is $6.7 trillion. And last I calculated it, that is a lot of money and it is going to be taken from the pockets of the American consumer,

passed through Government, and handed out in a variety of ways yet to be determined by the bureaucracy.

OK, that is all I am going to say about the economy of this bill.

When we were marking up another bill that never made it to the floor, I wanted to talk about substantive efforts, such as sequestration and revitalizing the American landscape in a way where we truly could take carbon out of the atmosphere and put it into plants and put it in roots and put it in tree stumps and tree stems in a way that was true, vital, positive environmental sequestration of carbon. I was told: No, you couldn't do that. Oh, no, no. The chairman of the Environment and Public Works Committee said: No, you can't do that; we won't allow that kind of amendment. We are not going to have forestry in this bill. You bring your amendments to the floor, Senator CRAIG. And that was the way the bill was crafted.

All of a sudden, we get to the floor, and guess what is in the bill: a 10-percent carbon credit for companies that invest in foreign forests—not U.S. forests, not the Payette National Forest in Idaho or the San Bernardino National Forest in California where 60 percent of it is dead and dying. No, we can't do that. It has to go to the Brazilian rain forest.

I am not going to debate rain forest politics tonight, but I will tell you that if we are going to tax the American people to improve the forested landscape of America, then by darn we ought to invest it in our landscape and not in Brazil's landscape or China's landscape. But that is what this bill does.

With that in mind, let me talk about forestry and forestry sequestration and what happens when you have a young, vital, growing forest across America and its ability to pull carbon down out of the atmosphere and store it in tree trunks, not just for a year or two or three but hundreds of years. It is the single greatest form of sequestering carbon from the environment that man ever thought about because Mother Nature was well ahead of the game before we came along and began to mess up the environment. Yet this bill does nothing about it.

The reason I get a little excited about this idea is because of, in the year 2000, in Belgium, a climate change conference. It was the last year of the Clinton administration, and they were trying to give away our forest credits to the world to try to convince them we believed in Kyoto. I stayed up 24 hours straight to stop them from giving away our ability to use our forest to sequester carbon out of the atmosphere into foliage and trees. I won and they lost. Now the world has changed and we can measure the reality of forest sequestration and we are not allowed to do it in a comprehensive way? That is where we are in this debate.

Fast forward with me, if you will, to where we are in the health of America's forests today. We have over 180 million acres of dead and dying forest in our country. They are no longer pulling carbon out of the atmosphere and bringing it down, they are doing what a tree does when it dies—they are releasing it back into the atmosphere.

We have unprecedented rates of forest burn in America today that we haven't seen in 60 to 70 years. That is what is happening in American forests—last year, 9.2 million acres, 2 million of it right in my home State of Idaho. The beautiful, clear, blue skies of Idaho were full of smoke all summer. Why? Because of a forest management and policy that is now simply allowing that to happen and because of a forest whose health is in such a state of dying, decaying, bug-killed trees, our great forests are now beginning to release carbon into the atmosphere at a higher rate.

This year alone, you would say: Well, Senator, we are not in the forest fire season in the West. No, we are not. But since January 1 through May 30, we have already burned 1.49 million acres of forested lands across our Nation. We have seen them burning in Florida and other places. What are they doing? They are releasing carbon into the atmosphere.

The reason I bring this chart along tonight is because it tells the story of the tragedy of the American forest. See this line? This is a result of a history of our forests as they evolve and they grow and they live and they die. We went through a period in the late 1920s and early 1930s of climate change, where we weren't hustling around trying to change the world but Mother Nature was changing, and we had a dust bowl era and we began to learn about El Nino and La Nina and Pacific decibel oscillation and all the changes going on in our environment that created a tragedy in our forests as they grew dry. And we began to see phenomenal fire burns in the late 1800s through the early 1900s, up until about 1920, when our Forest Service decided to change policy and go after fires. Now, remember, fires are burning, releasing carbon into the atmosphere at a tonnage rate unprecedented, at least in man's history.

Why did it plummet and why did forests become a sequesterer of carbon again instead of a releaser of carbon? Because we established a policy called 10 a.m. That is right, 10 a.m. in the morning. The U.S. Forest Service said that a fire that started the day before, we are going to have it out by 10 a.m. the next morning. And so we put phenomenal resources into putting out fires.

After World War II, when all the young men came home who had been jumping out of airplanes in Europe, they became smoke jumpers and dropped down on small fires and put them out. And the era of the smoke jumper in the U.S. Forest Service was born.

And what happened? It is right here on the chart. Forest fires plummeted, down to a period in 1945 on—1950s, 1960s—in which we simply weren't burning. We were putting out fires. And our forests became a net sequesterer of carbon.

Mr. REID. Mr. President, could I ask my friend to allow me to take the floor for a unanimous consent request.

Mr. CRAIG. I would be happy to yield to the leader.

Mr. REID. I apologize because you were really getting wound up.

Mr. CRAIG. I will not lose my momentum. I will keep it right here, Mr. Leader.

Mr. REID. We have been trying to get this done, and I have just spoken to the Republican leader. I have spoken to Chairman JUDD GREGG and Chairman KENT CONRAD, so we are ready to do a unanimous consent request regarding the budget.

UNANIMOUS CONSENT REQUEST—S. CON. RES. 70

Mr. REID. Mr. President, I ask unanimous consent that the previous order with respect to the conference report to accompany S. Con. Res. 70 be modified to provide that the Senate may utilize the available debate time, notwithstanding the absence of the official papers on the conference report filed in the House on May 20, 2008, and printed in the CONGRESSIONAL RECORD beginning on page H4217, and the Senate being in possession of the Senate official copy of the conference report; and that the Senate proceed to utilize the debate time on Wednesday, June 4—that is tomorrow—at 11:30 a.m., following a period of morning business, and upon the use of the time specified in the previous order, the Senate proceed to vote on adoption of the conference report at 11:45 a.m.; provided further that if the Senate fails to receive a message that the House has adopted the conference report by Tuesday, June 17, the Senate adoption of the conference report be vitiated; further, that if the vote is vitiated, then the previous order modified by this request remain in effect.

Further, Mr. President, I will say that we will firmly adhere to the 11:30 a.m. tomorrow morning, and 11:45 a.m., no matter what happens in morning business or extensions of time.

I ask unanimous consent that this be approved. As I have said, I have just spoken to the majority leader and Mr. Schiappa, and this has all been cleared.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I said the majority leader, but I meant the Republican leader, although I do talk to myself on occasion.

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

The Senator from Idaho.

Mr. CRAIG. Mr. President, while the Senate majority leader is still on the floor, I want to talk about a fire that happened in his State just a few years ago because I was directly involved with that Senator in recognizing the dead and dying conditions of the Tahoe

Basin in both Nevada and California. He came to the committee—the committee that I chaired at the time—and said: We have to fix this problem; a lot of people live in that area. And we did. We sent money out to the U.S. Forest Service to get in and change the character of that dead and dying forest. But the courts and the environmental groups would not allow it to happen. Lawsuit after lawsuit stopped it. And a year ago, the Tahoe Basin burned—3,100 acres, 250 homes, and what is more important, or as important, 140,000 tons of carbon released into the atmosphere.

Do you know the second largest releaser of carbon into the atmosphere, after coal-fired utilities? Forest fires. The second largest releaser of carbon into the atmosphere. Yet this bill does nothing about it except give money to Brazil to save the rain forest because it is a popular environmental issue. That is what this bill is about, the politics of the environment, not the reality of the circumstance in which we all live, in which the Senator from California nearly saw the entire San Bernardino forest wiped out and a Governor of her State who had to declare a state of emergency and go in and try to stop it from burning.

So if you are going to create a new world, a greener world, a cleaner world, one that has less carbon in it, you have to have a forest policy—a forest policy—that begins to revitalize our forests, to thin them, to clean them, to change the kind of ecosystem in them that doesn't tolerate 180 million acres of dead and dying trees that will release hundreds of millions of tons of carbon into the environment.

So what do we do? Six tons of CO_2 is released every time an acre burns. Six tons. Up to 100 tons of CO_2 can be released per acre, depending on the number of trees within that acreage—300, 400, 500. So that is a reality. Last year, in the 9.2 to 9.4 million acres that burned, we released the carbon equivalent emissions of 12 million passenger automobiles running for 1 year, or the entire passenger automobile fleet of the State of California, or somewhere close to that. Yet this bill doesn't address forestry? It doesn't address forest health? It doesn't address the kinds of things that we ought to be doing in an active management system to revitalize our forests? No, it doesn't. It is not environmentally popular to do. Environmentalists have spent the last 20 years shutting down our forests.

So tomorrow I will bring a comprehensive amendment to the floor to attempt to add to this bill, to get us back into the business of forest management, healthy forests, revitalizing our forests, and, hopefully, over time changing the ecosystem of our forests in a way that we don't burn 10 million acres a year and release hundreds of thousands of tons of carbon into the atmosphere. And this can be done at very little cost. You don't have to have a cap-and-trade scheme that pours trillions of dollars into it.

That is what we will talk about tomorrow. Gas is today. Let's talk about trees tomorrow, one of the greatest storers of carbon, one of the greatest sequesterers of carbon in the world today.

I yield the floor.

Mrs. BOXER. Mr. President, I will just take a couple of minutes of rebuttal time. Of course, one of the purposes of our bill, in fighting global warming, is to save our environment. That is the whole point of the bill, and part of our precious environment certainly includes our forests. We actually do have a forest title in the bill. So I am looking forward to seeing my friend's amendment. I hope it works well with our bill.

We know, as the climate warms, our trees are now open to all kinds of pests that didn't really thrive in a cooler climate. If you look, for example, in Alaska—and, of course, we have this in California too—the bark beetle is thriving now because of warmer temperatures. So I certainly look forward to working with my friend on forests.

I am looking at the Presiding Officer sitting there now, and he and I are working on saving the rain forest. And I say to Senator CRAIG, he is absolutely right about the forests being a carbon sink, and that is why Senator PRYOR and others are working very hard to save the rain forest. This is all part of what we do in this bill. So it is a little shocking for me to hear a colleague stand and say this bill doesn't do anything about forests, when the main purpose of this bill is to preserve and protect God's planet, and that includes our beautiful forests.

The Senator is right. I have been to those fires as they were raging and I have talked to those people and we have to do everything we can to be smart about protecting our lands.

I also want to address Senator CRAIG's point about India and China. He jokingly, I guess, said you should call it—I think he said the China-India——

Mr. CRAIG. Economic Stimulus Act.

Mrs. BOXER.—Economic stimulus blah blah. Ridiculous. Because the bottom line is, when anyone stands up and says India and China, it is because they do not want to do anything about global warming. They are code words. These are turned into code words, and what I want to say is, how far have we fallen as a nation when we sit back and wait for India and China to lead us on an issue as important as this? This is our turn.

I mean, we are going to hear in a minute from Senator SANDERS, who is going to come at this and say this bill doesn't do nearly enough. Unfortunately, Senator SANDERS, we have people here who think this bill does way too much, and they are fighting us every step of the way, which is very difficult for those of us who believe this is our challenge, this is our time, these are our grandchildren we have to protect, and this is our planet we have to protect.

So I want you to listen for a few key words in this debate. We will hear them more—India, China. When somebody says that, say: Senator, are you suggesting that America not lead and we turn over our leadership to those countries? That is wrong. America doesn't cower in the corner waiting for other nations to take on the great issues of the day. It is ridiculous. That is why our States, our Governors, our mayors, our conference of mayors support this bill. They are moving while the National Government is stuck in neutral.

Finally, we are moving. We are moving forward. We don't know how far we will get, but we are going to take this bill as far as we can. So keep your ear out for the words ''India'' and ''China,'' and ''gas price increases,'' which really is ironic since my friends on the other side of the aisle have done nothing but vote against us when we tried to push back against those super high prices—a 250-percent increase since George Bush came into office, and all he could do was go beg for oil from the Saudi prince. It is a pretty sad state of affairs.

So now I am done with my rebuttal, and I know Senator SANDERS has been waiting and I look forward to his remarks.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, in the rebuttal scheme, is there an effort to make comments back? No?

All right. I thank the chairman. And let's add one more word—''forestry sequestration.'' That is another new buzzword added tonight.

Mrs. BOXER. Well, since my colleague said that, we have $1 billion in the bill for forestry every year, so we will show it to the Senator.

The PRESIDING OFFICER. The Senator from Vermont.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, before I begin my remarks on this global warming legislation, I did want to say one word about gas prices, which are impacting my State of Vermont very heavily because workers in Vermont have to travel long distances to work, and the weather gets very cold and we spend a lot of money on home heating oil.

What I say to my Republican friends is I am glad to hear they are concerned about these soaring oil and gas prices. In the coming days we are going to give them an opportunity to stand up to the big oil companies who are enjoying record-breaking profits as they rip off the American people. We are going to give our Republican colleagues the opportunity to stand up to the speculators who many experts believe are driving up the price of oil by 25 to 50 percent. And we are going to give them the opportunity to join with us to stand up to those people who are causing oil prices to be so high and are causing so many problems all over this

country as a result. We look forward to working with them on that issue.

As a member of the Environment and Public Works Committee and of the Energy and Natural Resources Committee, I want to say a few words in congratulating Senator BOXER, Senator LIEBERMAN, and Senator WARNER, and all of those who worked so hard to bring this historic legislation to the floor. This is a very important start in addressing one of the great crises facing our planet. But in my view, and I think in the view of many people in the scientific community, if we are going to respond in a serious way to what the best evidence out there is telling us, this bill must be strengthened in a number of ways.

In the short time I have now, I wish to focus on four simple points. No. 1, what are the most knowledgable scientists in the world telling us about global warming and what will happen if we do not act boldly? No. 2, how can we reverse global warming through an aggressive path of energy efficiency and renewable energy? No. 3, how can transforming our energy system create millions of good-paying jobs here in the United States? And, No. 4, I want to mention some of the amendments I will be offering to strengthen the bill.

Let me begin by mentioning that the International Panel on Climate Change, the IPCC, is made up of more than 2,500 scientific expert reviewers, some 800 contributing authors, and in excess of 450 lead authors representing 130 countries. Collectively, this group, the entire team, was jointly awarded the Nobel Peace Prize last December. Let me very briefly summarize the findings of the IPCC, and let me state very clearly that this, their work, constitutes the overwhelming position of the scientific community. That is why they received the Nobel Peace Prize. This is what they said.

Warming of the climate system is unequivocal. With 90 percent certainty, most of the warming in the past 50 years is due to human activity. Carbon dioxide levels in the atmosphere are higher than they have been in over the last 650,000 years. Eleven of the twelve years between 1995 and 2006 rank among the 12 warmest years since we have been keeping records—meaning since 1850. Without a major change, by 2100, temperatures will likely increase between 3 and 7 degrees Fahrenheit. Further, with 90 percent certainty scientists expect that hot extremes, heat waves, and heavy precipitation events will continue to become more frequent, and the higher the temperatures become, the worse the effects of global warming will become. That is what the scientific community is telling us. There is not a lot of debate within the scientific community on these issues.

But what does unchecked global warming actually mean for ordinary people, who are not Nobel Prize-winning scientists? It means there will be a significant increase in human misery and death for our children, our grandchildren, and future generations as we see a significant increase in drought, in flooding, in severe weather disturbances, in wars and political unrest as nations fight for limited resources. There will be an increase in all kinds of disease. There will be an increase in malnutrition and starvation because of the loss of arable cropland and water. Those are some of the realities that will be seen in coming generations.

Let me be even more specific about what the future will bring if we do not reduce global warming in a significant way. Many of our friends say: Oh, there are problems here, look at all the problems. Yes, there are problems, but think about the problems that will take place if we do not act. In this sense we have to not be selfish because we are talking about our kids, our grandchildren, and the future of this planet. This is what we will be seeing in the not too distant future.

In the western United States, there will be a major crisis in terms of finding drinking water. There are great discussions taking place right now in California. While we have already seen major problems in terms of forest fires in recent years—and my colleague from Idaho was on the floor talking about forest fires—he ''ain't seen nothing yet,'' if this planet continues to warm.

Furthermore, we will see heat waves, which will become more frequent, which will cause terrible health impacts, especially for the elderly.

In Africa, by 2020, fresh water sources for between 75 and 250 million people will be stressed. In Asia, fresh water availability will be decreased, potentially adversely affecting more than 1 billion people by the year 2050.

In Latin America, by mid-century, tropical forests will be replaced by savanna, causing a significant loss of biodiversity and water availability.

Finally, in the polar regions, the loss of ice in glaciers and ice sheets and changes in snow conditions will negatively affect wildlife and arctic communities. From this, sea level could rise up to 23 feet, with the complete melting of the Greenland ice sheet, which would take many centuries but would ultimately occur due to man-made emissions.

When people say: My goodness, resolving global warming is a problem—yes. But compared to what?

Let us also be very clear that the horrific problems we are talking about for the future have already begun today. This is not saying, gee, it is all going to happen tomorrow. It is happening today, right now. Yesterday, one example of a million, the New York Times reported that large parts of Spain are turning into deserts and conflicts over water are increasing, in part because of global warming. A long-term drought in Australia, which many believe is related to global warming, has significantly reduced their food production, which some experts believe is one of the reasons international food prices are rising. That is today, not 10 years from now.

The evidence is overwhelming. We are looking at one of the great crises facing our planet, as great as we have ever faced. If we do not act effectively, the results will be catastrophic. When people say it will be difficult to address the issues of global warming, they are right. It is not going to be easy. But it will be 100 times more difficult to address the disasters that will come if we do not act now. All over the world people of all political persuasions, of all religious persuasions, understand that simple reality. If you do not act now, it is not going away, it is only going to get worse.

What the leading scientists are telling us is that not only is the situation dire, it is worse than they had predicted only a few years ago. I am a member of the Committee on Environment and Public Works. That is what these people do. They come and say: Yes, we told you the situation was bad. We were wrong. It is worse than we had told you only a few years ago.

What the scientific community is now telling us, and why this particular bill is lacking, is that the United States must reduce its global warming emissions by at least 80 percent by 2050, and some say we should do more than that. Further, through its leadership—we are the most powerful Nation on Earth—through its political strength, its advanced technology, we must do everything we can to work with the international community so that as a planet we go forward together in substantially reducing greenhouse gas emissions. The world is crying out for America's leadership. We must give it.

If we do all of these things, there is still a chance that we may not be successful in keeping the worst from happening. Those are the problems our planet is facing. What should we do to address them? What do we do? Frankly, I happen to believe that not only is the global warming crisis solvable, I happen to believe it is not quite as complicated as many others believe. The truth is that as a result of a lot of excellent scientific and technological work done here in the United States and all over the world, we know what has to be done. We know what has to be done. It is not a mystery.

Frankly, if you compare for a moment the challenge that we face with global warming today compared to the challenge the Congress of 1941 faced when we were attacked at Pearl Harbor, our job is much less difficult than their job was. They had to create armies to fight all over the world. They had to rebuild the civilian economy into a war economy. And they did all of that in a few years—and won, both in Europe and in Asia. That was a problem.

This, frankly, in my view, is less of a problem. What do we have to do? In English? No. 1, we must move aggressively toward energy efficiency in every area of our lives, and the technology is here for us to do it. My own

State of Vermont has been aggressive with regard to energy efficiency and the results are very promising. As a result of strong energy efficiency efforts, my State is using 5.3 percent less energy than it would have without those programs. These efforts have made Vermont the first State in the country to experience negative load growth while the population is increasing. Said another way, the State has actually reduced the amount of electricity it uses while still adding more users and experiencing economic growth. And Vermont has barely scratched the surface in terms of energy efficiency. I have no doubt, for example, that Vermont and the rest of the country can do much better in years to come, especially as new technology such as LED light bulbs are introduced into the economy. These bulbs will consume one-tenth of the electricity of an incandescent bulb. So the potential in terms of energy efficiency is extraordinary.

But the issue is not only with electricity. The issue is also with transportation. Given the dismal situation in terms of efficiency in transportation today, we can't help but make enormous improvements in years to come. Automobiles, including hybrids and hybrid plug-ins, will get at least 50 miles per gallon and it should be commonplace within a few years. Forget about the cars that are getting 15 miles per gallon, we will get 50, 75 miles per gallon and even more. Electric cars will be on the market that will have a range of 200 to 300 miles. You go to work, you go on your trip, you come back, plug it in, and you are off and running the next day.

Today, rural America is sorely lacking in public transportation. In Vermont and all over America, workers have no choice but to drive to work because we don't have the kind of bus system we have to have. Build that bus system. You are going to save an enormous amount of energy.

In terms of our antiquated rail system, think of the potential we have there. Today we are far behind, both in passenger travel and in cargo travel. We are way behind Europe and Japan, other parts of the world. We can and must build a modern transportation system, a rail system. When we do that, we save unbelievable quantities of energy. In other words, what the scientific community has told us over and over again is that the cheapest energy is the energy we don't use. As a Nation we are going to make some progress in this area, but we have a long way to go.

As we contemplate a strategy to reverse global warming, breaking our dependance on foreign oil and stimulating the economy, there is some very good news out there if we are smart enough to hear it, if we are prepared to take on powerful special interests, and if we are prepared to develop the political will to go forward.

Despite the fact that the Federal Government has been very slow in moving in terms of sustainable energy, major breakthroughs are already taking place in our country and around the world in terms of such renewable energies as wind, solar, geothermal, and biomass. If we are smart and prepared to invest in a reasonably short period of time, we can move our country not only away from foreign oil but away from fossil fuel in general, the burning of which is the major cause of global warming. We now have the potential to produce an enormous amount of energy in a cost-effective way through sustainable approaches which not only do not emit greenhouse gases but produce virtually no pollution at all, clean up our environment, as well as cut back on greenhouse gas emissions.

Let me give you a few examples of what I am talking about.

Wind is the fastest growing source of energy in the world and the United States, but we have barely begun to tap its potential. Today, we are producing less than 1 percent of our electricity from wind, but even the Bush administration acknowledges that we can get as much as 20 percent of our electricity from this valuable renewable resource. We should be supporting wind energy not only through the creation of large wind farms in the appropriate areas but through the production of small, inexpensive wind turbines which can be used in homes and farms throughout rural America.

In terms of solar power, the potential is almost unlimited. Right now, as we speak, concentrating solar powerplants are being built and planned in the United States and throughout the world. These plants can produce as much electricity as a small nuclear powerplant. Let me repeat that. Plants are being constructed today which emit virtually no greenhouse gas emissions, which are cost effective, and which can produce almost as much electricity as a nuclear powerplant.

It is estimated that this one solar technology which is beginning to explode in the southwest part of our country—in Nevada, southern California, New Mexico—this one technology can provide as much as 25 percent of our Nation's electricity and maybe even more. It is there. It is happening now. The Federal Government, of course, has been very slow to respond or to help. It is happening even without our help.

To offer another example, building just 80 gigawatts of concentrating solar power capacity—a target that is achievable by 2030—would produce enough electricity to power approximately 25 million homes, while helping to reduce greenhouse gas emissions. This is there now. This is what we can be doing.

Furthermore, the cost of concentrating solar powerplants has already begun to decline as production increases. In fact, concentrating solar power costs are projected to drop to 8 to 10 cents per kilowatt hour when capacity exceeds 3,000 megawatts, according to a 2008 Sandia National Laboratory presentation.

There it is. It is happening. People are talking about all kinds of things, solar concentrating powerplants are taking place right now, increasingly cost effective, and no greenhouse gas emissions.

One of the country's largest utilities, Pacific Gas and Electric, is working with Solel Solar Systems to build and operate a 553-megawatt concentrated solar powerplant in the Mojave Desert which would provide electricity for 400,000 homes. We can build dozens of those plants in the United States of America.

Furthermore, in terms of solar technology, we are not only talking about solar powerplants, we are also talking about photovoltaic. And more and more Americans, in their homes, in their buildings, in public buildings, in businesses, are installing solar photovoltaics, the price of which should also come down significantly as production increases. Photovoltaics on the roofs of only 10 percent of the existing buildings in the United States could meet 70 percent of peak electric demand. Worldwide installations of solar PVs have increased by nearly 50 percent last year. This is an exploding technology in the United States and all over the world. We have to do everything we can to increase and help out and make sure that technology continues to grow.

The bottom line here is, as we move forward in all of these areas, we are going to create millions of good-paying jobs, transforming our energy system away from foreign oil and fossil fuels into energy efficiency and sustainable energy. The potential is extraordinary. This is a great country. We have faced challenges in the past. We can and must accept this challenge now.

The PRESIDING OFFICER. The Senator's time has expired.

The senior Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first of all, let me comment that these things do not come without a cost. I am putting up some things that will happen in the State of Vermont. But I would also say this: It is so tempting to debate when he talks about the science here because the science is not settled.

But I stated—and I do not think the Senator from Vermont was on the floor when I opened the discussion yesterday, I guess it was—that for the purpose of this bill, so that there will not be Members coming down who do not want to talk about the bill and instead want to talk about the science, I said as far as the bill is concerned, let's assume the science is there so we do not have to put that on the table and use up the time. So that is what we have been doing. I hope we will be able to continue to do that. However, tomorrow, after the locked-in vote on the budget, I believe we are going to be going, hopefully, to some of these

amendments which I think are very significant.

Now, I had by unanimous consent asked to have, I think, locked in 30 minutes. I do not need that much time. I would like to repeat a couple of things.

I understand Senator ENZI is coming back to the floor. One of the things I think he stated earlier when he was speaking was something that somehow people have forgotten; that is, there can be no debate over whether jobs are going to be lost. Jobs have to be lost because we are talking about putting a cap on oil and gas, putting a cap on our energy supply. We are talking about doing what we can to reduce coal. There is no nuclear provision in this bill. So we are going to have a cutback in the ability to run this great machine we call America.

So what happens to manufacturing jobs in the State of Ohio and other States? They go south. Most of them will go probably to China, some down to Mexico. But already we have seen a huge migration of jobs, manufacturing jobs, and the estimate on this bill is that would be increased by 9.5 percent. We have the studies that show we would lose manufacturing jobs by another 9.5 percent over and above all of the manufacturing jobs that are gone.

Now, if you do not agree with these studies, use a little logic. If there is no energy to run these manufacturing jobs, they have to go where the energy is. It has been 30 years since we have had a new coal-fired generating plant in the United States. China is cranking one out every 3 days—every 3 days. And I know it is a mess over there. It is a polluted mess. We spent a lot of time talking about CO_2. But I would state to the chairman of the committee that in China, it is SO_2, CO_2, it is mercury, it is everything else, because they do not really have the restrictions.

So the point Senator ENZI was making was that when these jobs go over there—let's say this bill passes, which it will not, but if it did pass, that it would have the effect of increasing CO_2 in that respect. And it is very simple because it would go, as Senator ENZI said, to these countries where they have no controls. So that is very significant.

The third point I wish to make, because it has been made several times by my very close friend, the junior Senator from California, the chairman of the committee, that somehow the increase in gas has something to do with the Bush administration, when I would only remind you that during the period of time we have had the acceleration of the price of gas at the pump, it has been through the Congress, congressional acts. In fact, if anyone doubts that, they can go to our Web site. The chairman and I, as chairman and ranking member, have a Web site called EPW, Environment and Public Works, epw.senate.gov. When you go in, you will see I have documented the votes of every time we try to increase our capacity of energy, and it goes down on straight party-line votes. I am talking about increasing the exploration in ANWR, offshore, in all of the other areas, addressing the tar sands, trying to do something in expanding into the shale in western Colorado, the Western United States, trying to do something about tax incentives for marginal well production. You know I know about that because we are the largest State for marginal production in the country. That is wells of 15 barrels or fewer a day. So if we had all of the marginal wells producing today that we plugged in the last 10 years, it would amount to more than we are currently importing from Saudi Arabia.

So I have to get on record here to make sure everyone understands. And the documentation is there. Every time we have tried to either get nuclear or tried to do something about clean coal technology or something about oil and gas, to expand our supply of energy in America, it goes down right along party lines. That is the problem we have.

Now, I do have another area I wanted to talk about and maybe try to put it in a different context than it has been in the past, because the bill with all of these ramifications, with the 45 new bureaucracies, with all of the money, with the $6.7 trillion of additional money that is going to come into the system—that has to come from taxpayers, from consumers of energy. That is where it is going to come from.

When this all comes up, it is a shell game. It reminds me of the magician who takes a small object and he puts it under a shell, all under the watchful eyes of the public. Then he starts mixing them up in the shells. The problem is that the magician does such a good job of shuffling the shells around, no one can agree where the prize is, and sometimes the magician simply removes the prize in a slight-of-hand and all of the shells are empty. Well, this bill, the Lieberman-Warner bill, is much like a shell game. They promise everything to everyone.

There is one group—I do not think I will mention their name now—one of the big ag groups in this country has came out, and they were convinced they were going to get all of the credits and they would be able to control these credits and they were going to make all of this money. Now they realize that is not true, so they have taken their support away from this.

But the bill that promises everything to everyone showed the public a pile of money under one shell, and then they lead people to believe everyone is going to get that. The trouble is, there are more losers with the Lieberman-Warner bill than winners. What makes it worse is we are the ones choosing the losers and winners. We try very hard to make everyone think they will be better off under this redistribution of wealth, but, like most schemes, it does not work.

The first major shell game trick is the claim by the sponsors that the bill would generate $6.7 trillion of new revenue. The problem, of course, is that revenue comes from consumers and people in higher energy costs. It is a tax on everyone in this country who uses energy. It is a tax on energy, of course, either consumer products such as food, manufactured goods, or higher prices on anything made of concrete, steel, or chemicals. Now, you can bet that whenever the Government tells you they are going to redistribute money, the money they are distributing is coming from the U.S. taxpayers one way or another.

The next shell game trick is the promise of tax relief. We have heard this. We talk about tax relief. I hope everyone was listening when I read very carefully from the bill that there is no tax relief. They are merely talking about this, what they should do with all of this money after it has been redistributed back to people. But it doesn't say they will do it. It does not authorize it. It does not direct it. In fact, if it did happen, it still has to go to the Finance Committee, and they would have to make those decisions. But they are saying—the sponsors of the bill are promising Americans $800 billion in tax relief over the next 40 years. Now, the trouble is they are taking in $6.7 trillion. If they do redistribute the $800 billion, that is not a very good deal; that is $1 back for every $8 put in. Only in Washington, DC, does that sound like a good return on investment.

Now, how much tax relief will $800 billion provide? Let's break it down. Over 40 years, that is $20 billion a year. While that seems like a lot of money—and it is—this year's tax rebate cost the Government $150 billion. This means that for the U.S. taxpayer to play the Lieberman-Warner shell game, they have to fork over $8 for the chance of getting back $1.

The bill's sponsors also play the same shell game with different industries. They promise them that a small amount of money is hidden under one shell and hope they don't notice how much they will have to pay overall. They promise the auto industry less than $2 billion a year for research and development, when the industry already spends $75 billion a year. They promise $34 billion to help transition oil refineries over the life of the bill, when in the first year alone, 2012, they will have to purchase over $65 billion worth of credits based upon conservative estimates. This is actually written into the bill where you have the credits allocated by industry for the industrial base. Then they say: This is the amount that you get credit, but this is what you are going to have to eventually come up with. That is the difference, that is what they are going to have to pay. In the case of the auto industry, it will be $65 billion worth of credits. They offer fossil fuel-fired powerplants an average of $7 billion a year in assistance, ignoring the fact that in the first year alone they will have to

purchase over $20 billion in allocation credits.

Even worse, the sponsors play the same shell game with workers' jobs. They promise a whole host of new so-called green jobs in exchange for good paying manufacturing jobs. The problem is, the good jobs created under Lieberman-Warner are in developing countries such as China, India, and Mexico. The American worker is left with an empty shell.

Dr. Kenneth Green, with the American Enterprise Institute, stated in testimony before our committee, when I asked him if global warming initiatives create new green jobs:

> The short answer, I would say, is that they might do so, but only at the expense of other jobs that would otherwise have been produced by the free market. Further, I would suggest that the end result would be significantly less jobs on net, less overall economic growth on the net, and most likely, the loss of existing capital as a by-product.

That was in our committee. That was a testimonial from someone who is very knowledgeable. Even the so-called green jobs will be going overseas. Just last month the California-based SunPower Corporation, the second largest solar cell manufacturer in the world, announced it is building its new manufacturing plants in Malaysia. I am sure one of my colleagues might say the financial incentives in the bill for solar power will keep more of these jobs here in the future, but we already subsidize them by $24 dollars per megawatt hour compared to 44 cents for coal and 25 cents for natural gas. How many more subsidies do they think they need to keep the green jobs here?

Another victim of the shell game is the American farmer. They are promised funds for carbon offsets. Yet they aren't told of the increased prices they will be paying for everything from electricity to propane to natural gas to diesel fuel, fertilizer, chemicals, tires, batteries, belts, bearings, farm machinery, spare parts, and everything else they use. That is the reason you have all the farmers groups opposing this, saying: We can't be dealt one more bad hand.

I know my farmers in Oklahoma are having a problem, in addition to a lot of the overregulation they are suffering through. We have something that is probably not very prevalent in the State of California. It is called the burying beetle. It is about that big. That stops farmers from being able to cultivate their fields, and it is a serious problem. Now they look at this and say: Wait a minute. It is going to be even worse in the future.

Farmers have serious problems. In addition, this empty shell promise will come with increased regulations and inspections by the EPA as they set up, monitor, and then annually verify farmers' activities. My farmers always use the phrase, they don't want more bureaucrats crawling all over their farms. It is almost as if the sponsors are playing a shell game in hopes of distracting farmers with new regulatory programs and higher costs.

This is kind of funny. I happened to be chairman at the time, back when the Republicans were the majority, of the Environment and Public Works Committee, when there was an effort to make propane a hazardous material. I remember seeing a bunch of people wearing red coats walking in the back. They were young people. I didn't know who they were. I said: We can document that this will cost the average farmer in my State $700 a year more than they are paying now in excessive regulatory costs. We defeated that. When we defeated it, all these young kids stood and applauded. I didn't know it, but it was the ag youth committee of the State of Oklahoma. There must have been 40 of them there, bright young kids. Of course, every shell game someone comes out ahead. In this case, the magician is the Federal bureaucracy.

The bill creates a host of new Federal programs, boards and funds, all of which will require new regulations, staff and resources. To give you an idea, when people talk about the amount of money, this net amount of money is out there. We talk about the $6.7 trillion. We talk about a period of time that will extend 38 or 40 years out right now and some 45 bureaucracies. I want you to look and see. This is what we would be creating. People who vote for this bill are voting for all these bureaucracies: A Federal greenhouse gas registry, efficient buildings program, a super efficient equipment and appliances development program, a clean medium and heavy duty hybrid fleets program, research on the effect of climate change on drinking water utilities program, the Rocky Mountain center of the study of coal utilization, the Sun grant center for research on compliance with the Clean Air Act, the outreach initiative on revenue enhancement for agricultural producers, the agriculture and forestry emissions distribution program, the carbon market oversight and regulation working group. These are all going to be staffed with people. It is all going to be paid for by the results of this bill, if it should pass, which I am quite sure it will not. The carbon market efficiency board, the climate change technology board, the climate change worker training and assistance fund, the efficiency and renewable energy worker training program, the climate change worker assistance program, the multiagency steering committee, the national climate change advisory committee, the office of climate change adjustment assistance. I have to read these out so people know this monster we are talking about. The workforce training and safety program, the climate change consumer assistance fund, the transportation sector emission reduction fund, energy efficiency and conservation block grant program, tribal climate change assistance fund, State wildlife adoption fund.

People say: What are you going to do? Let's assume that all this stuff is supposed to go back to taxpayers which we have calculated to be something less than—at the very most it would be $2.5 trillion, that that would leave $4.2 trillion. This is where it is going, for all these bureaucracies: The early action program, the efficient manufacturing program, the low and zero carbon electricity technology fund, the carbon capture and sequestration technology fund, the liabilities for closed geological storage sites task force, the climate change transportation technology fund, the cellulosic biofuel program. This is kind of interesting because right now my State is a leader in the cellulosic biofuel programs. It is Oklahoma State University and the Noble Foundation. I would like to see this happen.

I stood on the floor of the Senate—I think this is one of the rare things we agreed with, I say to my good friend, the Senator from California. All these ethanol mandates that we went through, initially all the environmentalists were for these mandates. Now people realize that with the mandates and with the increase in the mandates in the energy bill of 2007 that we passed in December, now it has doubled or tripled the mandates that were already there. What is happening? They produce a dirtier fuel that is less efficient. It is not good for the engine. It takes the life of the engine down. But worst for me in my State of Oklahoma, it is competing with feedstocks. Our feedstocks in Oklahoma have tripled since all this stuff started because they are using this. The cellulosic biofuel program was a result of that because that is something that is not going to be used to compete with.

On with the list: The Bureau of Land Management emergency firefighting program, the Forest Service emergency firefighting program, the Federal wildlife adaptation program, the national wildlife adaptation program, the science advisory board, the climate change and natural resources science center, the international climate change commission, the international reserve allowance program. These are all bureaucracies, you guys. I hope somebody is watching. The capacity building program, the clean development technology deployment fund, the international clean development technology board, the international climate change adaptation and national security program, the interagency climate change task force, and finally, the Climate Security Act administrative fund.

Here we are with all 45 new bureaucracies, programs that are created. I guess we know who the winner is in the Lieberman-Warner shell game: The Federal Government, at the expense of families, workers, and taxpayers who are going to pay for all this fund we will be having.

I don't recall, in the years I have been here, seeing more interest from

more different areas in a piece of legislation. I would like to share some of the things that I thought were of interest. A lot of these are from, I think it was the senior Senator from Ohio, who was talking about one of the medias I will be quoting. I will get to it. I am not sure which one it is.

The Associated Press:

With gasoline at $4 a gallon and home heating and cooling costs soaring, it is getting harder to sell a bill that would transform the country's energy industries and, as critics will argue, cause energy prices to rise even more.

That was from ''Economic Cost Drives Senate Climate Debate.''

The Wall Street Journal:

This is easily the largest income redistribution scheme since the income tax.

The New York Post:

The only thing it will cool is the U.S. economy. In effect, the bill would impose an average of more than $80 billion in new energy taxes every year.

Robert Samuelson in the Washington Post:

Let's call it by its proper name: cap-and-tax.

George Will, a little more intellectual on this one:

Speaking of endless troubles, cap-and-trade comes cloaked in reassuring rhetoric about the government merely creating a market, but government actually would create a scarcity so that government could sell what it had made scarce.

Charles Krauthammer, this is one that was a few days ago. There is another one in this morning. I would invite anyone out there who wants a lot of details on how bad this legislation is, I had an op-ed piece in this morning's Wall Street Journal. I covered all these things in much more detail with documentation, and you can only do it in print. So I did it.

Charles Krauthammer:

There's no greater social power than the power to ration. Other than rationing food, there is no greater instrument of social control than rationing energy, the currency of just about everything one does and uses in an advanced society.

Human Events:

It will significantly increase the price Americans pay for gasoline and electricity. Cap and trade is an economy-killer.

The Hill:

A bill that the senate will debate after Memorial Day could add about 50 cents more to the price of a gallon of gasoline, according to a study.

There are several studies in this area. It is far greater than that. I think the EPA actually had the study that said that it would be 53 cents a gallon increase.

The Wall Street Journal:

Boxer climate tax bill would impose the most extensive government reorganization of the American economy since the 1930s.

Investor's Business Daily:

The bill essentially limits how much gasoline and other fossil fuels Americans can use, as Klaus puts it . . .

Talking about one of my real heroes, he is the President of the Czech Republic. He said:

. . . in the name of the planet. A study by Charles Rivers Associates puts the cost (in terms of reduced household spending per year) of Senate bill 2191—

which is the present source on this—

to $1,300 per household by 2015, rising to $1,500 to $2,500 by 2050.

Electricity prices could jump by 36 percent to 65 percent by 2015 and 80 percent to 125 percent by 2050.

By the way, we have another chart which I do not have with me which I will be showing tomorrow that has the breakdown by CRA, showing what each State has. It happens that the highest States in terms of the problems are the States of Oklahoma and Texas. The average cost for the average household in my State of Oklahoma and the State of Texas is $3,300 a year. So it is far greater than average, so naturally I am a little more concerned than some of the others are.

The Las Vegas Review Journal:

Consumers are already struggling with gasoline approaching $5 a gallon and other utility costs that have been moving steadily higher for the past few years. New mandates placed on producers in the name of ''global warming'' will only make matters worse.

The Plain Dealer—this is the one that is in Cleveland, OH, so I am sure the Chair knows a little bit about this newspaper. This is the one that was characterized by the senior Senator from Ohio as normally being moderate to liberal as opposed to being conservative. It says:

The bill, as conceived, will just bore new holes into an already battered economy.

That was an editorial by the Plain Dealer of Cleveland, OH, called: ''Carbon Cap-And-Trade Bill Is Going Nowhere, For Good Reason.''

Mr. President, it is my understanding I have 30 minutes. How much time do I have remaining?

The PRESIDING OFFICER. The Chair understood the Senator to have 25 minutes.

Mr. INHOFE. Yes, but I also had the 5 minutes in addition to rebut after the speech, which I acknowledged and asked for when I first started talking. Twenty-five plus 5 equals 30.

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

Mr. INHOFE. Pittsburgh Tribune-Review:

If there indeed is a second Great Depression to come, this will be the government measure that guarantees it arrives with a devastating gut punch.

San Francisco Chronicle. We have to have this one because generally they are on the other side of these issues.

The Senate debate on the climate bill probably will focus on its impact on energy prices and the economy, which in the short run could be considered significant.

Anyway, we have many, many more. So I guess to finalize what I have said, you have to repeat some of these things. First, we do have the problem of gas prices. You could argue it is not going to increase the price of gas. Every study we have, except one that presumes we are going to triple the number of nuclear plants, agrees with that.

In fact, the Energy Information Agency estimates that gas prices would increase from 41 cents somewhere to a dollar. When they talk about only 2 cents a year, that is on a study the EIA did that assumes that currently we have 104 nuclear plants and that would be increased by 260. Nuclear, we are going to have some amendments. There will be several amendments on that.

Let's remember now the other two major things that are worth repeating. You lose your jobs. The jobs are not going to be here. You are not going to have the energy. This bill puts caps on all the energy we produce today. They talk about the future. Yes, as the Senator from Vermont said, I want to have the renewables. I want to have solar energy that will work. I want to have wind energy. All of these we want to have. We need them all.

But what are we going to do today? That technology is not here. Today the technology on oil and gas is here. The technology is here on clean coal. We actually have, right now, 32 applications pending on new nuclear plants, a nuclear renaissance. That is what we need in this country.

Lastly, the tax and spend: $6.7 trillion, all going to be paid for by all these people out there. Maybe they may get back $1 out of every $8 they pay, but I doubt it. Because, as I said earlier, if you look and see clearly what it is that is in the bill, it says we should return some of this money to them, but it does not demand it. It does not authorize it. The Finance Committee would end up having to do it.

Now, with that, I will yield the floor for the response.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, in my rebuttal, I say to my good friend from Oklahoma that I truly believe one of the reasons his party is in trouble right now and his party is losing all these elections right now is because they do not have any answers to the problems that are facing us.

Whether it is high gas prices—and my friend can say Congress was responsible. Come on. I remember when George Bush ran with DICK CHENEY, and they said: We are two oil men, and we are going to make sure—we are going to use the power of the Presidency and the Vice Presidency to bring down gas prices. What happened? We will show you the chart again: a 250-percent increase since George Bush came into power. You could try to blame that on the Congress.

That just does not wash because we Democrats have offered many ways to go after big oil. We have offered resolutions saying we should be free of foreign oil. Republicans, for the most part, do not vote for it. Democrats do. So that is a red herring.

To blame it on the Congress is kind of laughable, when George Bush was

complaining about the price of oil when he got into office—I remember that; it is not that much ancient history—and has been really unable to do anything about it. And just as we are on the brink of passing a very important bill to get us off foreign oil, get us off big oil, and all those programs my friend read from—and I will talk about them more tomorrow. Those are not bureaucracies. Those are actually investments we are going to make so we make sure we get off of oil so we make sure in the future our prices go down. That is what the Boxer-Lieberman-Warner bill will do.

So to sum up, what you are hearing—and I have listened all day to every speech. I am very pleased Senator DOLE is here to speak in favor of the Boxer-Lieberman-Warner bill. I welcome her to this debate. We have had some great bipartisanship on our side today. We have heard from Senator SNOWE. We have heard from Senator WARNER. We are going to hear from Senator DOLE. And, of course, we heard from Senator LIEBERMAN, an Independent. So we have tripartisan support for our bill.

But on the other side, it is the same old, same old, same old—attack, attack, attack. They say we have a tax increase when we have a huge tax cut. They ignore the fact that half of the bill's revenues go to the people—deficit reduction trust fund, tax cut, and consumer relief. They ignore the fact that what we do with the rest of the funds is invest them in our country, in our people. That is why many unions are supporting us, because they understand the jobs are going to be created, just as they are being created in California.

Right now we have a horrible problem in California with our housing industry, our construction industry. Those jobs are going, thank goodness, to the 450 new solar energy companies that are located there.

I know my friend who is sitting in the chair is grappling with all these issues. He is concerned about manufacturing. That is why some of the programs my friend from Oklahoma talked about are going straight into the economies of the coal States, to make sure we can find the answer.

Now, there is another Dayton Daily News editorial:

Cap-and-trade has two factors going for it—

I think this is good. Since you heard a negative editorial, here is a positive editorial.

Cap-and-trade has two factors going for it that one needn't be an expert to understand. One, it is a new, inventive approach, as opposed to government incentives. . . .

Second, the bipartisan appeal of cap-and-trade is itself a case for adopting the idea. A way to actually get something done. . . .

So I think in Ohio we have a mixed review. I wanted to put that into the RECORD. I also want to say to my friend, he is reading editorial after editorial. I will go with him toe to toe. I am going to read some editorials.

San Jose Mercury News:

The challenge of climate change is to avert disaster for future generations. At least major legislation is now on the table.

The Denver Post:

In a time of global economic competition, future prosperity belongs to the quick. We urge the Senate to support enlightened efforts to deal with the world's changing physical and economic environment by passing the Climate Security Act.

The Tallahassee Democrat:

Florida should support Climate Security Act.

The Orlando Sentinel:

Take [a] step forward. Climate-change bill being wrongly targeted as bad for economy.

The Orlando Sentinel is very strong.

The Miami Herald:

U.S. Must Act Quickly to Slow Global Warming.

The Des Moines Register:

Congress Should Pass Climate Change Bill.

The Boston Globe:

Getting Warmer on Emissions.

Grand Rapids Press:

Seize the Chance to Address Global Warming.

. . . .the direction laid out in the bill represents the best path for addressing climate change in the United States.

St. Louis Dispatch:

Serious for a Change.

The Climate Security Act is a good first step. . . .

And it goes on and on.

The Star Ledger:

Speed a Plan to Fight Global Warming.

It just goes on.

Newsday, the New York Times.

The Oregonian:

The legislation, called America's Climate Security Act, would be the nation's first meaningful step. . . .

The Register Guard:

Time to Act. . . .

And this is to Senator SMITH.

Harrisburg Patriot News:

ACT NOW. . . .

Salt Lake Tribune:

. . . .Cost of doing nothing is too great.

The Milwaukee Journal Sentinel:

The consequences are too dire. . . .

That is just a sample.

Mr. President, I ask unanimous consent to have this document printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICA'S NEWSPAPERS SUPPORT ACTION ON THE BOXER/LIEBERMAN/WARNER CLIMATE SECURITY ACT

San Jose Mercury News: Global Warming: Let's Set the Table for post-Bush Era

''The challenge of climate change is to avert disaster for future generations. At least major legislation is now on the table.''

San Jose Mercury News (California), June 2, 2008.

The Denver Post: Save the Earth—and the economy

''In a time of global economic competition, future prosperity belongs to the quick. We urge the Senate to support enlightened efforts to deal with the world's changing physical and economic environment bypassing the Climate Security Act. It will provide a good framework for the next president.''

The Denver Post (Colorado), May 30, 2008.

Tallahassee Democrat: Our Opinion: Florida should support Climate Security Act

''Still, it's time for the United States to make a strong statement on global warming, and it's time for Florida's business and political leaders to show the way on the issue again.''

Tallahassee Democrat (Florida), June 1, 2008.

Orlando Sentinel: Take step forward. Our position: Climate-change bill being wrongly targeted as bad for economy

''. . . the U.S. Senate will vote to end America's dangerous isolation on the issue of climate change by embracing a cap and trade, carbon emissions-limiting system honored by nations that long ago conceded the reality of global warming.''

Orlando Sentinel (Florida), May 31, 2008.

Miami Herald: U.S. Must Act Quickly to Slow Global Warming

''The leading bill is sponsored by Sens. Joseph Lieberman, I–Conn., and John W. Warner, R–Va. It sets a goal of stopping emissions growth by 2012 and is set to be debated in June. While President Bush might veto such a bill, all three leading presidential candidates support the approach. So the prospect of a cap-and-trade proposal passing is good, even if it has to wait a year.''

''Not to act quickly to protect the planet would be far more expensive.''

Miami Herald (Florida), April 22, 2008.

Des Moines Register: Congress Should Pass Climate Change Bill

''In the cost-benefit analysis of climate change, doing nothing could carry a devastating potential cost in everything from higher food prices to real estate lost to rising sea levels. Acting now, however, means taking steps toward a cleaner environment, exploring new energy sources, less reliance on fossil fuels and at the very least a chance to preserve the Earth as we know it for future generations.''

Des Moines Register (Iowa), June 1, 2008.

Boston Globe: Getting Warmer on Emissions

''With gasoline costing $4 a gallon and even the Bush administration admitting that global warming is endangering polar bears, the time is right for Congress to enact reductions in the use of fossil fuels that are a principal cause of global warming.''

''. . . the costs of both (gasoline and utility prices) have skyrocketed, and the country is no closer to making a substantial shift away from fossil fuels. Passage of this bill with a filibuster proof majority would start that historic change.''

Boston Globe (Massachusetts), June 2, 2008.

Grand Rapids Press: Seize the Chance to Address Global Warming

''. . . the direction laid out in the bill represents the best path for addressing climate change in the United States.''

Grand Rapids Press (Michigan), June 1, 2008.

St. Louis Dispatch: Serious for a Change

''The Climate Security Act is a good first step toward reducing greenhouse gas emissions. A cap-and-trade system for carbon dioxide emissions would nudge American energy policy toward a more sustainable future.''

''Waiting only will increase the impact and cost of global climate change. The Senate should approve the bill quickly.''

St. Louis Dispatch (Missouri),
June 1, 2008.

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Concord Monitor: Alaskan Changes Show that Congress Must Act

''Significant steps to limit global warming and its often devastating effects shouldn't wait for a new administration to take power. The Lieberman-Warner bill would show the rest of the world that the United States is finally making a serious commitment to combating climate change. It deserves the support of New Hampshire's congressional delegation.''

Concord Monitor (New Hampshire),
March 19, 2008.

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The Star Ledger: Speed a Plan to Fight Global Warming

''Senators must not fritter away the opportunity to end eight years of Bush administration obstructionism and jump-start America's fight against climate change.''

Star Ledger (New Jersey),
June 2, 2008.

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Newsday: Time for Cap and Trade

''The longer we wait to take serious action, the more painful will be the steps we'll have to take when we finally start.''

Newsday (New York),
June 2, 2008.

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New York Times: The Senate's Chance on Warming

''Mr. Bush can no longer plausibly deny the science. What he continues to resist is the need for a full-throated response. The Senate can usher in a new era of American leadership when it convenes next week.''

New York Times,
May 28, 2008.

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The Oregonian: Finally, a path for America to battle climate change

''The legislation, called America's Climate Security Act, would be the nation's first meaningful step toward halting and reversing the buildup of atmospheric gases that are altering the Earth's climate in devastating ways. Congress, after years of empty rhetoric on the subject, should pass this legislation and quickly put the United States on the right path to reducing the pollution that's causing this crisis.''

The Oregonian (Oregon),
June 1, 2008.

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The Register Guard: Time to Act Senator Smith

''The Lieberman-Warner bill has impressive bipartisan support, reflecting a growing conviction in Congress and the American public that action is imperative.''

''The scientific case for action is beyond compelling.''

''It's the sort of leadership that Oregonians—and all Americans—need and deserve to meet the formidable challenges of climate change.''

The Register-Guard (Oregon),
June 1, 2008.

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Pocono Record: Don't follow, lead on energy and climate

''The United States can help safeguard its environment and be out in front in the energy field. The Senate must lead the way to an environmentally responsible, economically sound energy future by passing the Climate Security Act.''

Pocono Record (Pennsylvania),
June 1, 2008.

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Harrisburg Patriot News: ACT NOW/Don't let uncertainty rule out steps to meet climate challenge

''. . . to do nothing until the facts are inescapable to even the most avowed critic would be reckless. Donald Brown, associate professor of Environmental Ethics, Science and the Law at Penn State, has written that 'the nature of the risk from climate change is enormous and using scientific uncertainty as an excuse for doing nothing is ethically intolerable.

So we need to act.' ''

Harrisburg Patriot News
(Pennsylvania),
May 25, 2008.

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Salt Lake Tribune: Climate Security Act Cost of doing nothing is too great

''Clearly, we cannot sit idly by as disasters worsen and economic costs balloon. The Lieberman/Warner act is a reasonable first step.''

Salt Lake Tribune (Utah),
May 31, 2008.

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Milwaukee Journal Sentinel: Editorial: The consequences are too dire to remain a bystander

''The science that all three reports looked to doesn't offer much in the way of good news—which is why it's essential for the Senate to provide some by taking the first step this week on the Climate Security Act.''

Milwaukee Journal Sentinel
(Wisconsin),
May 31, 2008.

Mrs. BOXER. So my friends, the debate will go on. I think I am going to use the rest of my time to read the closing script for the day, but tomorrow, we go on. My friend, Senator INHOFE, is a terrific debater. Tomorrow, we are going to take that list he put up there behind himself and show how what he read off is not new bureaucracies but new investments. When he talked about adaptation and firefighting, of course we need to be sure we have the ability to do that. So we are going to show tomorrow how that chart is misleading. We are going to show tomorrow how the statistics that came from the National Association of Manufacturers are wrong.

Mr. President, I ask unanimous consent to have printed in the RECORD proof that they are wrong. We will talk about them tomorrow.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE ACCF/NAM MODELING ANALYSIS IS FLAWED:

At a May 20 hearing before the Energy and Natural Resources Committee, Deputy Administrator Howard Gruenspecht of the Energy Information Agency said that ACCF/NAM wrongly attributed costs due to rising world oil prices as impacts of the Climate Security Act, rather than considering those costs as part of the economic baseline for the study.

In addition, ACCF/NAM is based on implausible ''constraints''—it basically assumes that new technologies and fuels will not be developed between now and 2030.

Congressional Research Service says NAM ''assumes substantial constraints on technology availability, and higher costs than those embedded in EIA's NEMS model.''

Mrs. BOXER. Mr. President, now I am going to go to the script so it is a little less complicated.

ORDER OF PROCEDURE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

I assume that would happen after Senator DOLE finishes her remarks; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Is there objection?

Mr. INHOFE. Yes. Mr. President, it is my understanding we have agreed to give Senator ENZI some time.

Mrs. BOXER. OK.

Mr. INHOFE. First, we will have the Senator from North Carolina. Then I will have 5 minutes of rebuttal.

Mrs. BOXER. Then I ask unanimous consent that when Senator ENZI completes his remarks, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MALAYSIA

Mr. KERRY. Mr. President, I would like to share with my colleagues an important development in Asia with implications for regional security.

Malaysia, a moderate country of 27 million people with an Islamic majority, has long been a major high-tech manufacturing center, producing components of goods that are in personal computers and household items throughout our country, as well as throughout the world. It is encouraging to see economic reforms now complemented by political ones.

In response to a call for change voiced by the people in the March 8 Malaysian elections, in which opposition candidates made gains in Parliament, Malaysian Prime Minister Abdullah Badawi has proposed a series of significant reforms to promote a more independent and effective judiciary and to increase anticorruption efforts across Malaysia.

In the area of judicial reform, Prime Minister Badawi has proposed a new Judicial Appointments Commission to identify, recommend and evaluate candidates for the judiciary based on clearly defined criteria. He has also offered a proposal to improve the quality of judges by reviewing the compensation and terms of service for judges to attract and retain the most qualified judges.

Recognizing the major public concern about corruption in Malaysia, Mr. Badawi has taken steps to make Malaysia's Anti-Corruption Agency, ACA,

become a fully supported and independent commission with an independent corruption prevention advisory board. He has also undertaken action intended to triple the number of anticorruption officers, and to establish a parliamentary committee on corruption prevention that would review annual reports by the ACA.

Mr. Badawi's reform proposals also include greater support and protections for freedom of the press, including issuing one-time—rather than annual—licenses for media organizations and approving a permit for the party of main opposition leader Anwar Ibrahim's People's Justice Party to publish its own newspaper.

Malaysia's pursuit of democracy and its struggle against Islamic extremism are critical for establishing lasting peace, prosperity, and security both for the Malaysian people and for the entire Southeast Asian region. The future direction of countries such as Malaysia is of significant importance to the United States as we work with others to fight extremists.

The relationship between these types of reforms and security in Malaysia and the surrounding region is the subject of a recent op-ed in the Providence Journal by Stuart Eizenstat, who served as Undersecretary of State and Deputy Treasury Secretary in the Clinton administration. This editorial, which I am submitting for the RECORD, also notes Mr. Badawi's initiative to have Muslim states which are members of the Organization of Petroleum Exporting Countries, OPEC, commit themselves to a joint plan to eradicate poverty, illiteracy and unemployment in the Islamic world. Attention to that kind of investment in basic social needs in the Islamic world is an essential element of combating extremism. Human security requires protection not only of law and freedom, but of economic security, and I commend Mr. Eizenstat's article for its recognition of how these issues intersect in the current reform efforts being undertaken in Malaysia.

I ask unanimous consent that the editorial to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Providence Journal, May 29, 2008]

MALAYSIAN DEMOCRACY'S ROLE IN TERROR FIGHT

(By Stuart E. Eizenstat)

There is a titanic conflict within the Muslim world pitting modernity against reactionary radicalism.

Muslim leaders who promote modernization and integration with the world economy will only succeed if their policies will lead to a better way of life for their people.

The next U.S. president must determine how best to support the reformers, which will require new approaches, a combination of both hard and soft U.S. power, and most importantly, strong, reliable allies.

That's why it is so important for the U.S. to pay attention to the transformation now occurring in Malaysia, a Muslim nation of some 27 million people whose prime minister, Abdullah Badawi, has responded to electoral calls for change by introducing sweeping reforms designed to maintain a democratic open society for the long term.

On March 8, Malaysian voters sent a strong message to the government by giving opposition parties solid gains in parliament—even as Badawi's party continued to hold more than 60 percent of the seats.

Instead of heeding the calls of his adversaries to resign, Prime Minister Badawi embraced the call of voters who demanded reform. The results: Badawi's avalanche of proposals has begun positioning him as the 68-year-old ''comeback kid'' of Malaysia politics.

The reforms have addressed three central foundations for freedom too often not seen in developing nations—and especially those in the Islamic world.

First, Badawi has moved to strengthen the independence of Malaysia's judiciary, by creating a process to create merit-based lists of judicial candidates, similar to the kinds of vetting systems used in the U.S. to rate potential new federal judges.

Second, Badawi is building on strategies adopted in Hong Kong and Singapore to create independent bodies to combat corruption.

Finally, Badawi is opening up historically strict licensing processes to promote freedom of the press, making it possible for the newly empowered political opposition to publish its own newspaper.

These new reforms would fundamentally change the way business—and politics—are carried out in a nation whose political leadership had historically emphasized economic development rather than political freedom. By making the country's institutions more transparent and independent, the Badawi government is promoting a system that is also more likely to be resilient in turbulent economic times.

The stability of this majority Muslim nation through political and economic change has significant implications for the U.S., for whom Malaysia is the 10th largest trading partner.

Malaysia is an important producer for the U.S. of components for high-tech business and consumer goods, like computers and cell phones. It also has provided a steady example of a Muslim government that has been serious about combating terrorism at home. And it has burnished Badawi's reputation as a leader of Islamic moderates against the life-support systems that sustain the dark forces of Al Qaeda, Hamas, Hezbollah and the terror network that stretches from Northern Africa across the Middle East into Southeast Asia.

Other Muslim leaders, including those of some of the opposition parties in Malaysia, have a different vision, one that would reverse Badawi's goal of converting Malaysia into a multi-cultural Islamic-oriented state that is helping to modernize Islam in ways that are compatible with the globalizing challenges of the 21st Century.

For example, Malaysia's Parti Islam se Malaysia (PAS) has called for the imposition of a criminal code of Islamic law, or Shariah, including such cruel punishments as amputation and death by stoning, reversing hard-won women's rights and an end to race-oriented affirmative-action programs aimed at helping improve the lives of Malaysia's minorities.

Malaysia and Badawi have sought to lead by example in the region. During his recently concluded chairmanship of the Organization of the Islamic Conference—an international organization of 57 Muslim states from the Middle East to Indonesia—he led efforts to address the twin challenges of poverty and illiteracy that fuel the spread of Islamic extremism in the Muslim world.

Badawi has challenged his fellow Muslim states, including those which are members of the Organization of Petroleum Exporting Countries (OPEC), to commit themselves to a joint plan to eradicate poverty, illiteracy and unemployment in the Islamic world.

His persistence in helping to establish a new economic agenda for the Muslim world represents a critical initiative in the long-term struggle to transform impoverished Muslim states into nations that find their place in a progressive, globalizing world.

In the end, whether Badawi's dexterity will keep him in power to serve a full term is yet to be determined, but what he has set in motion deserves the support of the United States, since his reforms will place Malaysia firmly on the path to modernizing its Islamic society.

Stuart E. Eizenstat was chief domestic-policy adviser to President Jimmy Carter, and held several senior positions in the Clinton administration.

CHALLENGES FACING WYOMING'S FARMERS AND RANCHERS

Mr. BARRASSO. Mr. President, I believe our Nation's farmers and ranchers—free of government interference and redtape—are the best stewards of the land.

Unfortunately in Washington, there are people who don't understand Wyoming. We do not need the Federal Government to regulate mud puddles and wetlands. We know how to manage our lands. We do not take kindly to the ''Washington knows best'' philosophy. We are westerners. We have been living out here for a long time without the helpful hand of the Federal Government.

A recent editorial printed in the Wyoming Livestock Roundup on April 5 really hit home. I recommend to my colleagues the editorial by Jim Magagna as reflecting the feelings of Wyoming farmers and ranchers. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SOCIETY WE LIVE IN

I am admittedly old-fashioned. I still relish the 60's when resource conflicts were most often resolved by just getting out and kicking a little dirt. I had my share of ''cussin' and discussin''' with BLM, USFS and WG&F personnel. I respected their professional expertise and they respected my practical experience. Most often this combination produced a result that was a little uncomfortable for both of us, but right for the resource. Neither of us was particularly concerned that our decisions would be challenged by anyone else.

Fast-forward to the 21st century: Resource managers are no longer respected for their professional judgment, which they can exercise only at peril of the agency being sued. The demands placed upon them to create paper trails leave little time for kicking the dirt. The U.S. Fish and Wildlife Service (FWS), has been added to the list of federal agencies known to strike fear into the hearts of ranchers. Resource decisions are driven primarily by often uninformed public opinion and agency efforts to avoid litigation. Many of the threats which once plagued only

public land ranchers have migrated to private lands, infringing on our property rights. Many of today's decisions are simply not ''right for the resource''.

These 21st century resource management challenges have also forced ranchers and the organizations that represent them into the litigation arena to an unprecedented extent. Certain environmental organizations have perfected the litigation process as a tool to make government dysfunctional. Their formula is simple: Challenge every unfavorable decision on simple procedural grounds, utilizing the National Environmental Policy Act (NEPA) or the Endangered Species Act (ESA), as a tool. Make massive, costly and time-consuming demands on the agencies for documents under the Freedom of Information Act (FOIA), thereby preventing agency personnel from performing normal duties. Identify ''friendly'' courts that will assure a favorable decision on the weakest of evidence. Assure that the environmental organization's legal fees are paid by the taxpayer and that the FOIA fees are waived ''in the public interest''. This is the shameful but successful strategy of Western Watersheds Project, Center for Biological Diversity, Forest Guardians and a host of similarly aligned conspirators.

Meanwhile, back at the ranch, individual families are forced to scrape together thousands of dollars of their own funds to defend property rights and federal grazing permits. Financial and human resources that would otherwise be directed toward resource management and improvements are diverted to legal fees and endless meeting participation, thereby strengthening the claims of the environmental plaintiffs that the resource is not being properly managed. The rancher is placed in a vicious circle from which there is no ready escape.

Agricultural organizations at the state, national and local levels have stepped up to the plate in recent years in order to address these threats in a collective manner and relieve some of the burden placed on individual ranchers. In Wyoming, state government has been a partner in this effort, in particular regarding endangered species.

In 1999 the Wyoming Stock Growers Association (WSGA), for the first time in its then over 125 year history, deemed it necessary to establish a permanent Litigation Fund to support challenges by the radical environmental community. Since that time the generosity of our members and supporters has allowed us to participate in or financially support over ten (10) defenses of the property rights and interests of the ranching community. In addition to these direct expenditures, an increasing portion of staff time is dedicated to reviewing litigation and determining the appropriate level of involvement for the organization.

Currently, WSGA is involved as an intervenor in litigation seeking the listing of the sage grouse and in challenges to the state's elk feedgrounds. We have filed a motion to intervene in recent litigation seeking to force listing of the mountain plover. WSGA, joined by WWGA, has recently moved to file an amicus brief in litigation challenging the delisting of the grizzly bear. We were in the process of filing in the black-tailed prairie dog litigation when a settlement was reached. In addition, WSGA is a leader in an effort by the National Public Lands Council challenging the overturning of the revised BLM grazing regulations. The announcement last week by WildEarth Guardians of a lawsuit challenging the Secretary of Interior for failure to act on listing petitions for 681 species will undoubtedly present new ''opportunities'' for our involvement.

The ESA and NEPA are laws whose original intent remains valid. However, they have been co-opted by environmental litigants as procedural hurdles to serve their ultimate goal of land use control. Congress has demonstrated its inability to act in restoring integrity to these laws. There will continue to be a handful of federal judges who are willing to aid and abet in their abuse.

WSGA and others will continue to defend the property rights and grazing permits of ranchers in environmental litigation. This alone will not be enough. The time has arrived when we must develop a multi-faceted strategy to end this abuse of our rights and our legal system. We have begun the proactive step of building public support for our stewardship and forming alliances with other groups who support our role in resource management. Future steps should include an expose of the motives and tactics of select radical environmental groups and direct legal challenges to certain of their practices. This strategy will demand even greater short-term sacrifices by ranchers and a strong coordinated commitment by those who represent them. Success will assure a sustainable resource and a more secure future for our industry.

JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, before the last recess, the Senate confirmed Judge G. Steven Agee of Virginia to the United States Court of Appeals for the Fourth Circuit. His confirmation lowered the remaining vacancies on that circuit to less than there were at the end of the Clinton administration, when a Republican-controlled Senate had refused to consider any nominees to the Fourth Circuit during the last 2 years of the Clinton Presidency. The Republican Senate majority used the Clinton years to more than double circuit court vacancies around the country. By contrast, we have already reduced circuit court vacancies by almost two-thirds, in the process reducing them to zero or only a single vacancy in nearly every circuit. We have already reduced vacancies among the 13 Federal circuit courts throughout the country from 32—which is what it was when I became chairman of the Judiciary Committee in the summer of 2001—to 11, the lowest number of vacancies in more than a decade.

When Republican Senators are ready to allow us to consider and confirm the President's nominations to fill the last two remaining vacancies on the Sixth Circuit, yet another circuit will be without any vacancies. We will reduce the total number of circuit court vacancies to single digits for the first time in decades. Lost in all the agitating from the other side of the aisle is the fact that we have succeeded in reducing circuit court vacancies to historically low levels.

In addition, this work period we have the opportunity to complete Senate consideration of five additional nominees for lifetime appointment to Federal courts, which are pending on the Senate's Executive Calendar. The Judiciary Committee has favorably reported the nominations of Mark Davis of Virginia to fill a vacancy in the Eastern District of Virginia, David Kays of Missouri to fill a vacancy in the Western District of Missouri, Stephen Limbaugh of Missouri to fill a vacancy in the Eastern District of Missouri, William Lawrence of Indiana to fill a vacancy in the Southern District of Indiana and Murray Snow of Arizona to fill a vacancy there. In addition, when the Judiciary Committee considers the nominations of Judge Helene White and Ray Kethledge to the Sixth Circuit, we will also consider the nomination of Stephen Murphy to the Eastern District of Michigan. Thus, with cooperation from across the aisle, the Senate should be in position to have confirmed four circuit court judges and 11 district court judges before the Fourth of July recess, for a total of 15 additional Federal judges.

By comparison, during the 1996 session when a Republican Senate majority was considering the judicial nominees of a Democratic President in a Presidential election year, not a single judge was confirmed before the Fourth of July recess—not even one. That was the same session in which they failed to confirm a single circuit court nominee.

Another stark comparison is that on June 1, 2000, when a Republican Senate majority was considering the judicial nominees of a Democratic President in a Presidential election year, there were 66 judicial vacancies. Twenty were circuit court vacancies, and 46 were district court vacancies. Those vacancies were the result of years of Republican pocket filibusters of judicial nominations. This year, by comparison there are just 47 total vacancies with only 11 circuit vacancies and 36 district court vacancies. If we can continue to make progress this month, the current vacancies could be reduced to fewer than 40, with only 9 circuit court vacancies and 30 district court vacancies.

The history is clear. When Republicans were busy pocket filibustering Clinton nominees, Federal judicial vacancies grew to more than 100, and circuit vacancies to more than 30.

When I became chairman for the first time in the summer of 2001, we quickly—and dramatically—lowered vacancies. The 100 nominations we confirmed in only 17 months, while working with a most uncooperative White House, reduced vacancies by 45 percent.

After the 4 intervening years of a Republican Senate majority, vacancies remained about level.

It is the Democratic Senate majority that has again worked hard to lower them in this Congress. We have gone from more than 110 vacancies to less than 50. With respect to Federal circuit court vacancies, we have reversed course from the days during which the Republican Senate majority more than doubled circuit vacancies. Circuit vacancies have been reduced by almost two-thirds and have not been this low since 1996, when the Republican tactics of slowing judicial confirmations began in earnest.

Consider for a moment the numbers: After another productive month, just 9

of the 178 authorized circuit court judgeships will remain vacant—just 9—a vacancy rate down from 18 percent to just 5 percent. With 168 active appellate judges and 104 senior status judges serving on the Federal Courts of Appeals, there are 272 circuit court judges. I expect that is the most in our history.

I regret to report that when I tried to expedite consideration of President Bush's two Sixth Circuit nominations last month, I encountered only criticism from the Republican side of the aisle, as did one of the nominees. Senator BROWNBACK publicly apologized for his actions at the hearing, and I commended him for doing so.

We have now received the updated ABA rating for President Bush's nomination of Judge Helene White to the Sixth Circuit. She received a well qualified rating. That did not come as any surprise. She has served ably on the Michigan state appellate courts and acquired additional experience in the decade since when she was nominated by President Clinton and the Republican Senate majority refused to consider her nomination. The White and Kethledge nominations to the Sixth Circuit break a logjam after 7 long years.

In light of Republican criticism of my efforts to expedite consideration of President Bush's Sixth Circuit nominations, I have said that the nominations would be scheduled for committee consideration after we received updated ratings from the ABA. Now we have and I plan to include them on the agenda for the committee's business meeting on June 12. I trust that all Senators will be prepared to consider and vote on the nominations at that time. That should provide the Senate with the opportunity to consider them before the July 4 recess.

The President has not nominated anyone to 16 current judicial vacancies. He has refused since 2004 to work with the California Senators on a successor to Judge Trott on the Ninth Circuit. The district court vacancies without nominees span from those that arose in Mississippi and Michigan in 2006, to several from 2007 in Pennsylvania, Michigan, Indiana and the District of Columbia, to others that arose earlier this year in Kansas, Virginia, Washington, and several in Colorado and Pennsylvania.

Disputes over a handful of controversial judicial nominations have wasted valuable time that could be spent on the real priorities of every American. I have sought, instead, to make progress where we can. The result is the significant reduction in judicial vacancies.

The alternative is to risk becoming embroiled in contentious debates for months. The most recent controversial Bush judicial nomination took 5½ months of debate after a hearing before Senate action was possible. I am sure there are some who prefer partisan fights designed to energize a political base during an election year, but I do not. I will continue in this Congress, and with a new President in the next Congress, to work with Senators from both sides of the aisle to ensure that the Federal judiciary remains independent, and able to provide justice to all Americans, without fear or favor.

In fact, our work has led to a reduction in vacancies in nearly every circuit, reducing vacancies on almost every circuit to only one or none. Both the Second and Fifth Circuits had circuit-wide emergencies due to the multiple simultaneous vacancies during the Clinton years with Republicans in control of the Senate. Both the Second Circuit and the Fifth Circuit now are without a single vacancy. We have already succeeded in lowering vacancies in the Second Circuit, the Fourth Circuit, the Fifth Circuit, the Sixth Circuit, the Eighth Circuit, the Ninth Circuit, the Tenth Circuit, the Eleventh Circuit, the DC Circuit, and the Federal Circuit. Circuits with no current vacancies include the Seventh Circuit, the Eighth Circuit, the Tenth Circuit, the Eleventh Circuit and the Federal Circuit. When we are allowed to proceed with President Bush's nominations of Judge White and Ray Kethledge to the Sixth Circuit, it will join that list of Federal circuits without a single vacancy.

My approach has been consistent throughout my chairmanships during the Bush Presidency. The results have been positive. Last year, the Judiciary Committee favorably reported 40 judicial nominations to the Senate and all 40 were confirmed. That was more than had been confirmed in any of the three preceding years when a Republican chairman and Republican Senate majority managed the process.

Still, some partisans seem determined to provoke an election year fight over nominations. The press accounts are filled with threats of Republican reprisals. The May 14 issue of Roll Call boasted the following headline: ''GOP Itching for Fight Over Judges; Reid's Pledge to Move Three Before Recess Fails to Appease Minority.'' Then in a recent article in The Washington Times, we read that the Republican fixation on judges is part of an effort to bolster Senator MCCAIN's standing among conservatives. There seem to be no steps we could take to satisfy Senate Republicans on nominations because they are using it as a partisan issue to rev up their partisan political base.

Among the reasons that Republican complaints about the Fourth Circuit ring hollow is that the emergency vacancy on the Fourth Circuit from North Carolina exists only because the Republican Senate majority refused to consider any of President Clinton's nominees to fill that vacancy. All four nominees from North Carolina to the Fourth Circuit were blocked from consideration by the Republican Senate majority. That also prevented President Clinton from integrating the Fourth Circuit through appointment of Judge Beaty or Judge Wynn.

Of course, during the Clinton administration, Republican Senators argued that the Fourth Circuit vacancies did not need to be filled because the Fourth Circuit had the fastest docket time to disposition in the country. That was the period when Fourth Circuit vacancies rose to five. One of those vacancies—to a seat in North Carolina—still exists because the President insisted on nominating and renominating Terrence Boyle over the course of 6 years to fill that vacancy. That highly controversial nomination persisted for years despite the strong opposition of law enforcement officers from across the country, civil rights groups, and those knowledgeable and respectful of judicial ethics opposed the nomination.

The Fourth Circuit now has fewer vacancies than it did when Republicans claimed no more judges were needed, and fewer vacancies than at the end of the Clinton administration. I have already said that once the paperwork on President Bush's nomination of Judge Glen Conrad to the Fourth Circuit is completed, if there is sufficient time, I hope to move to that nomination.

This is not the first time we have heard false complaints about our progress on nominations. One of the Republicans' favorite talking points is to use a mythical ''statistical average'' of selected years to argue that the Senate must confirm 15 circuit judges in this Congress. They only achieve this inflated so-called ''historical average'' by taking advantage of the high confirmation numbers of Democratic-led Senates confirming the nominees of President Reagan and the first President Bush. They ignore their own record of doubling vacancies during the Clinton administration, including during the 1996 session when the Republican-led Senate refused to confirm a single circuit court nominee.

They do not like to recall that during the 1996 session, when a Republican majority controlled the Senate during a Presidential election year, they refused to confirm any circuit court judges at all—not one. Their practice of pocket filibustering President Clinton's judicial nominees led Chief Justice Rehnquist to criticize them publicly. Chief Justice Rehnquist was hardly a Democratic partisan. Quite the contrary. Even he was appalled by the actions of the Republican Senate majority. In his 1996 Year-End Report on the Federal Judiciary, he wrote:

> Because the number of judges confirmed in 1996 was low in comparison to the number confirmed in preceding years, the vacancy rate is beginning to climb. When the 104th Congress adjourned in 1996, 17 new judges had been appointed and 28 nominations had not been acted upon. Fortunately, a dependable corps of senior judges contributes significantly to easing the impact of unfilled judgeships. It is hoped that the Administration and Congress will continue to recognize that filling judicial vacancies is crucial to the fair and effective administration of justice.

When that shot across the bow did not lead the Republican Senate majority to reverse course, Chief Justice

Rehnquist spoke up, again, in his 1997 Year-End Report on the Federal Judiciary. It was a salvo from a Republican Chief Justice critical of the Republican Senate leadership:

Currently, 82 of the 846 Article III judicial offices in the federal Judiciary—almost one out of every ten—are vacant. Twenty-six of the vacancies have been in existence for 18 months or longer and on that basis constitute what are called ''judicial emergencies.'' In the Court of Appeals for the Ninth Circuit, the percentage of vacancies is particularly troubling, with over one-third of its seats empty.

Judicial vacancies can contribute to a backlog of cases, undue delays in civil cases, and stopgap measures to shift judicial personnel where they are most needed. Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the federal Judiciary. Fortunately for the Judiciary, a dependable corps of senior judges has contributed significantly to easing the impact of unfilled judgeships.

It was only after the scorching criticism by a Republican Chief Justice that the Republican Senate majority modified its approach in order to allow some of the nominations that had been held back for years to finally proceed. Having built up scores of vacancies, some were allowed to be filled while the Republican Senate majority carefully kept vacant circuit court positions to be filled by President Clinton's successor. It is in that context that Republican claims of magnanimity must be seen for what it was. It is in that context that the 8 circuit confirmations in 2000 must be evaluated while the Republican Senate majority returned 17 circuit nominations to President Clinton at the end of that session without action.

By contrast, the Democratic Senate majority has worked steadily and steadfastly to lower vacancies and make progress, and we have. When Senate Republicans allow the Senate to confirm President Bush's Sixth circuit nominees, we will have achieved the average number of circuit confirmations the Republican Senate majority achieved in presidential election years and lowered circuit vacancies to an historically low level.

Further, the Republican effort to create an issue over judicial confirmations is sorely misplaced. Americans are now facing an economic recession, massive job losses of 232,000 in the first 3 months of this year, increasing burdens from the soaring price of gas, and a home mortgage foreclosure and credit crisis.

Last month, the Commerce Department reported the worst plunge in new homes sales in two decades. The press reported that new home sales fell 8.5 percent to the slowest sales pace since October 1991, and the median price of a home sold in March dropped 13.3 percent compared to the previous year. That was the biggest year-over-year price decline in four decades. You would have to go back to July 1970 to find a larger decline. Sales of existing homes also fell in March, as did employment and orders for big ticket manufactured goods, both of which fell for the third month in a row.

Unfortunately, this bad economic news for hard-working Americans is nothing new under the Bush administration. During the Bush administration, unemployment is up more than 20 percent; the price of gas has more than doubled and is now at a record high national average of over $3.94; trillions of dollars in budget surplus have been turned into trillions of dollars of debt, with an annual budget deficit of hundreds of millions of dollars. According to a recent poll, 81 percent of Americans today believe that our country is headed in the wrong direction. It costs more than $1 billion a day—$1 billion a day—just to pay down the interest on the national debt and the massive costs generated by the disastrous war in Iraq. That's $365 billion this year that would be better spent on priorities like health care for all Americans, better schools, fighting crime, and treating diseases at home and abroad.

In contrast, one of the few numbers actually going down as the President winds down his tenure is that of judicial vacancies. Senate Democrats have worked hard to make progress on judicial nominations, lowering circuit court vacancies by almost two-thirds from the level to which the Republican Senate majority had build them. Any effort to turn attention from the real issues facing Americans to win political points with judicial nominations is neither prudent, nor productive.

RECOGNIZING L. ROBERT KIMBALL

Mr. SPECTER. Mr. President, I have sought recognition to recognize an outstanding Pennsylvania citizen, L. Robert Kimball.

In 1953, L. Robert Kimball opened the doors of a surveying and civil engineering consulting company in Ebensburg, PA. Under Mr. Kimball's leadership over the past 55 years, L. Robert Kimball & Associates has grown from a 2-person outfit to a 600-person firm which now oversees nearly 1,200 projects a year in 14 offices across the United States.

L. Robert Kimball's leadership has not gone unnoticed. Among his many commendations are the Outstanding Engineering Alumnus Award and the Distinguished Alumnus Award from the Pennsylvania State University, the Western Pennsylvania Family Business of the Year Award from the University of Pittsburgh's Katz Graduate School of Business, and the Small Business Person of the Year Award from the Small Business Association.

I will conclude by commending the four guiding principles that Mr. Kimball instills in each his staff: have a goal, be persistent, know when to change direction, and enjoy your work.

ADDITIONAL STATEMENTS

SYDNEY POLLACK: IN MEMORIAM

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of a very special man, Sydney Pollack of Los Angeles County, who died May 26, 2008. He was 73 years old.

Sydney Pollack was a master filmmaker and will be fondly remembered for his over four decades of work in Hollywood as a director, producer, and actor.

Sydney Irwin Pollack was born to Rebecca and David Pollack on July 1, 1934, in Lafayette, IN. He was raised in South Bend and moved to New York City in 1952 to study at the Neighborhood Playhouse. While there, Sydney so impressed head acting teacher Sanford Meisner, that Mr. Meisner quickly made Sydney his assistant. Sydney went on to teach at the Neighborhood Playhouse from 1954–1959, guiding the talents of actors such as Robert Duvall, Rip Torn, Brenda Vaccaro, and Claire Griswold, whom he married in 1958.

At the urging of Director John Frankenheimer, Sydney left New York City in 1961 for Hollywood where he began work as a director of television shows. In 1965, Sydney made his movie-directing debut in the suicide help-line drama, ''The Slender Thread'' with Sidney Poitier and Anne Bancroft. In 1969, Sydney received his first Best Director nomination for an Academy Award for the film ''They Shoot Horses Don't They?''

As an actor, Sydney's key roles include Woody Allen's ''Husbands and Wives,'' 1992, Robert Altman's ''The Player,'' 1992, and Stanley Kubrick's ''Eyes Wide Shut,'' 1999. Sydney's most notable acting and directing role was in his 1982 comedy film ''Tootsie'' in which he played George Fields, agent to the main character played by Dustin Hoffman. His production company, Mirage, produced this film as well as many others, most recently ''Michael Clayton'' in which Sydney gave yet another memorable performance.

Perhaps Sydney Pollack's biggest directing triumph came in 1985 with ''Out of Africa.'' This landmark film received seven Academy Awards—Best Picture, Director, Adapted Screenplay, Cinematography, Original Score, Art Direction, Sound—and three Golden Globe Awards—Best Picture, Supporting Actor, Original Score. ''Out of Africa'' was also an example of one of the great collaborations of all time between actor and director. Sydney Pollack and Robert Redford made seven classic films together that include ''This Property Is Condemned,'' ''Jeremiah Johnson,'' ''The Electric Horseman,'' ''3 Days of the Condor,'' ''The Way We Were,'' and ''Havana.''

Those who knew Sydney Pollack recognize him as a courageous, innovative and brilliant man. He took pride in tackling social issues through films which raise interesting and challenging

questions. His work as an ambassador of cinema will be remembered gratefully by all those whose lives he touched. He touched mine, and he will be deeply missed.

Sydney is survived by his wife Claire Griswold, and their two daughters, Rachel Pollack Sorman and Rebecca Pollack Parker.●

THE 40TH ANNIVERSARY OF ST. AMBROSE HOUSING AID CENTER

● Mr. CARDIN. Mr. President, today I congratulate the St. Ambrose Housing Aid Center on its 40th anniversary. Since 1968, it has grown from its original mission to confront the ''blockbusting'' practices harming Baltimore's neighborhoods to providing a myriad of services to more than 100,000 Baltimoreans as our oldest nonprofit housing provider.

St. Ambrose Housing Aid Center was founded in 1968 by the dynamic and tenacious Father Vincent Patrick Quayle, known to all as Vinny. The center is dedicated to creating and preserving affordable housing in Baltimore. Its many successes are due to the charismatic and effective leadership of Vinny Quayle and the tireless efforts of a dedicated staff.

In the 1970s, St. Ambrose initiated a rental program and converted several vacant Catholic school buildings into affordable apartments. This effort led to neighborhood revitalization in many Baltimore communities. Today, St. Ambrose owns and manages 350 single and multifamily affordable housing units serving very low-income households, households with special needs, and the elderly.

When Baltimore experienced a gentrification movement in the 1980s, many low income families, especially those renting their homes, feared they would be displaced. St. Ambrose led the way in helping tenants convert to homeownership and was instrumental in convincing Baltimore City to establish a ''Tenant's Right of First Refusal'' bill.

Two other programs were established that have become core services at St. Ambrose. The Homesharing Program, the only one in Maryland, matches householders with room to share with homeseekers who need affordable housing and are willing to provide help with household tasks or financial support. The Legal Services Program helps homeowners and tenants combat home improvement fraud and predatory lending practices.

St. Ambrose partnered with the U.S. Department of Housing and Urban Development, HUD, and bought, renovated and sold Federal Housing Administration, FHA, properties to first-time homebuyers. Through its Homeownership Counseling Program, St. Ambrose serves more than 700 prospective homebuyers every year, with 100 of them purchasing a home within 6 months of completing housing counseling.

As the numbers of subprime mortgages and foreclosures have increased, St. Ambrose has stepped forward to help homeowners save their homes. Expert housing counselors provide assistance to homeowners in a number of ways and staff attorneys are available to provide legal review and action.

I am most proud to extend my warmest congratulations and best wishes to St. Ambrose Housing Aid Center on its 40th anniversary and ask my colleagues to do the same.●

REMEMBERING LIEUTENANT GENERAL WILLIAM ODOM

● Mr. FEINGOLD. Mr. President, today I would like to commemorate the life of a great soldier, strategic thinker and American, LTG William Odom. I was deeply saddened to learn of his recent sudden death.

General Odom served our country with honor and distinction throughout his life. During his time serving as a military adviser in the White House, Director of the National Security Agency, and West Point and Yale professor, General Odom demonstrated an uncanny talent for assessing and advancing U.S. interests in a complex and challenging world.

Over the years, the U.S. Congress has benefited greatly from General Odom's clear vision of U.S. interests in the Middle East. General Odom was a strong critic of the Iraq war even before it began. It is unfortunate that more Members of this body did not heed his insightful and prescient warnings of the perils of invading Iraq. His steadfast commitment to ending the war and restoring a balanced and focused national security strategy has been an inspiration. So, too, was his strong opposition to the President's illegal warrantless wiretapping program.

Our thoughts are with his wife, son, and family during this difficult time. I hope that they can take some comfort knowing that he will be deeply missed by a grateful Nation.●

REMEMBERING BILL CLARK

● Mr. PRYOR. Mr. President, today I honor the life of a great Arkansan, William E. ''Bill'' Clark, who passed on May 15, 2007. Bill was respected as a great philanthropist, sportsman, business leader and citizen of Arkansas. He was seen as an unparalleled advocate for the needs and welfare of his State and its citizens. He dedicated his life to serving his community and supporting individual lives in the public and private sector.

Bill graduated from Little Rock Central High School in 1961 and the University of Arkansas at Fayetteville in 1965 with a bachelor's degree in electrical engineering. Thereafter, he joined his brothers at C&C Electric Construction Company in Little Rock, working there until 1981 when he acquired Bragg's Electric Construction Company. In 1987, Bill partnered with Dillard's Incorporated and founded CDI Contractors, which grew to be one of the largest construction firms in the South. High-profile projects completed by CDI under Bill's leadership include the Clinton Presidential Library in Little Rock, the headquarters for Heifer International in Little Rock and Immanuel Baptist Church in West Little Rock, of which Bill was a devout attendee for over 27 years. Bill's impact on the business community of Arkansas is evident by the numerous business and professional awards he received, including Arkansas Business Executive of the Year, Rotary Club of Little Rock's Business and Professional Leader of the Year Award, Paul Harris Fellow as given by Fifty for the Future, election to the Arkansas Construction Hall of Fame, and admission to the University of Arkansas Engineering Hall of Fame and the Arkansas Academy of Electrical Engineering.

Respected and admired throughout Arkansas for over three decades, Bill took on countless worthwhile projects with optimism and enthusiasm; he was an inspiration to many. The positions he held relating to public service are evidence of his commitment to his community. His awards reflect his professional successes as well as his avid public service. These awards included the Arkansas Arts Center's Winthrop Rockefeller Memorial Award, the Boys and Girls Club of America National Service to the Youth Award, the Edwin N. Hanlon Memorial Award for Contribution to the Arts, and the Arkansas Children's Award from the Arkansas Sheriff's Youth Ranches.

Bill was a past president of the board for the University of Arkansas board of trustees, the Arkansas Arts Center, the Little Rock Regional Chamber of Commerce and the Country Club of Little Rock. Bill served as a board member of the Little Rock Boys and Girls Club, the Arkansas Arts Center Foundation, Baptist Health, the UAMS Foundation, Ouachita Baptist University Business Advisory Council, and the Episcopal Collegiate School Foundation.

During his lifetime, Bill was an enthusiastic outdoorsman. He loved hunting, fishing, and golf, while remaining committed to conservation endeavors. A final gesture honoring Bill and benefiting his community is the establishment of the William E. ''Bill'' Clark Presidential Park Wetlands, a 13-acre tract located on the banks of the Arkansas River running adjacent to the Clinton Presidential Library. This natural wetland area provides an educational exhibit that can be enjoyed by State, national, and international visitors for generations to come. As contractor for the Clinton Presidential Library, Bill believed in the library's mission to strive for educational advances within Arkansas, including the history of the United States, the institutional roles of the Presidency and the American political system as applied to President William J. Clinton.

It is hard for people to experience Arkansas without noticing the remarkable accomplishments of Bill Clark. It is not hard to imagine just what makes Bill Clark so special to his family, his friends, and to Arkansas. He was a person of great faith, a loving husband and father, a doting grandfather, and a humorous, compassionate friend to all he met. Bill never approached a situation with a negative attitude; rather, he saw everything as an opportunity to benefit his community. Bill will be well remembered for his generosity and commitment to improving his community.●

TRIBUTE TO KATHRYN TUCKER WINDHAM

● Mr. SESSIONS. Mr. President, today I ask that my colleagues join me in celebrating the 90th birthday of one of America's and Alabama's most talented and acclaimed residents, Ms. Kathryn Tucker Windham. Ms. Windham is a beloved storyteller, author, playwright, photographer, television and radio personality and, most importantly, a woman of faith, integrity, grace and high ideals.

This smalltown girl has written larger than life tales including ''Thirteen Alabama Ghosts and Jeffery'', along with many other historically based ghost-stories that involve smalltown urban legends in Alabama, Georgia, Tennessee, and Mississippi. She has also written works like ''Twice Blessed'', ''GRITS'' and ''Alabama, One Big Front Porch'', which reveal the rich joys of Alabama living.

She grew up in Thomasville, AL, not too far from my rural home and not too far from another notable Alabama writer—Harper Lee. Her capacity for storytelling and writing started early, as a news reporter. But she did not stop there allowing her natural talent and inclinations to lead her to a higher plane of national renown. It is always inspirational to see a real person, an individual American, follow their own calling and achieve success.

Ms. Windham represents the highest values of our State and region. This is so because she was raised right, studied hard, thought deeply, and was committed to a life that enriches others. A graduate of my alma mater, Huntingdon College, she followed its admonition, ''Enter to grow in wisdom; go forth to apply wisdom in service.''

I have known her and her son Ben for many years. I am so in awe of her. Not just for her noteworthy achievements, but because of the content of her character. She is an entertaining storyteller for sure, but she is a truth teller also. Her works reflect with truth the nature of the human condition. In them, she displays a love for all persons that reflects well on her rich heritage of religious faith.

She, from a lifetime of experience and insight, has been a leader in racial reconciliation in her home area. Persons of her integrity and stature can make a positive difference and she has. She supports good causes, knows in remarkable detail the history of the smallest communities in our State, and knows the importance of simply remembering. She loves children, capturing them with tall tales while stressing education and personal character.

Her wonderful southern accent is well remembered on NPR's ''All Things Considered'' and her commentaries are still heard on Alabama Public Radio.

I applaud her on her many achievements, and I am thankful to have such a beacon of literary excellence shining from Alabama. She is highly recognized for her achievements by the whole State and around the world and was one of the 13 artists chosen to represent the State by the Alabama State Council for the Arts at Alabama in France and Monaco in 2000. She was also honored in 2003 with the establishment of the Kathryn Tucker Windham Museum at Alabama Southern College.

Fellow Alabama author Harper Lee, author of ''To Kill a Mockingbird'', which is set in Monroeville not far from Thomasville, nominated Ms. Windham to the Alabama Academy of Honor in 2003. Some of her other accolades include: Alabama Humanities Award in 2000, the Governor's Award for the Arts, the National Storytelling Association's Circle of Excellence Award and Lifetime Achievement Award, the University of Alabama's Society of Fine Arts' Alabama Award, the Selma Rotary Club's Citizen of the Year, and she was inducted into the University of Alabama College of Communications Hall of Fame.

In true poetic form, I think, Ms. Windham sums up her insights in her book ''Alabama, One Big Front Porch'':

> Alabama, they say, is like one big front porch where folks gather on summer nights to tell tales and to talk family. The stories they tell are all alike in their Southern blend of exaggeration, humor, pathos, folklore and romanticism. Family history is woven into the stories. And pride. And humor. Always humor.

I know I speak for all Alabamians and all Americans when I express my gratitude for your eloquence, your literary achievements, and your humanity, and say, ''Happy Birthday Kathryn Tucker Windham!''

In closing, I would like to leave the Senate with a few of her words that truly embody the spirit of her work and life:

> I think we need to be put back in touch with our childhood . . . to be reminded of what's important, like memories about people we loved, or things that happened to us that affected our lives, things we can laugh about and shed a few tears about . . . I think storytelling is a way of saying ''I love you. I love you enough to tell you something that means a great deal to me.''●

NEW HAMPSHIRE EXCELLENCE IN EDUCATION AWARD WINNERS

● Mr. SUNUNU. Mr. President, today I congratulate the 2008 recipients of the New Hampshire Excellence in Education Awards. These prestigious awards, commonly called the ''ED''ies, are presented each year to individuals and schools who demonstrate the highest level of excellence in education.

The ''ED''ies were instituted as a way to honor the best of the best among New Hampshire's educators. For 15 years, annual award winners have been drawn from a rich source of talented and successful teachers, administrators, schools, and school boards. This year's recipients are no exception.

Those individuals selected have been compared against a criteria set by others in their discipline through their sponsoring organization. Schools are chosen by experienced educators and community leaders in New Hampshire based on guidelines established by the New Hampshire Excellence in Education Board of Directors. I am proud to recognize the individuals and schools who will receive this honor on June 7, 2008, and look forward to personally presenting this year's award for Secondary School of Excellence to Londonderry High School, as well as the Presidential Awards for Math and Science to Kimberly Knighton of Profile School and Louis Broad of Timberlane High School, respectively.

As a graduate of Salem High School, I am especially pleased that this year's New Hampshire Teacher of the Year, Benjamin Adams, has taught in Salem for 12 years. As I serve in the United States Senate, I am grateful for the excellent education I received in our New Hampshire public schools, and congratulate all of this year's award winners.

I ask that the list of the 2008 New Hampshire Excellence in Education Award winners be printed in the RECORD.

The material follows.

2008 NEW HAMPSHIRE EXCELLENCE IN EDUCATION AWARDS RECIPIENTS

Dr. Maurissa Abecassis; Benjamin Adams; Ina Ahern; Susan Antico; Dawn Bechtold; Alexander J. Blastos; Louis Broad; James K. Crane; Heather R. Cummings; Blanche Garant; Tobi Gray Chassie; Dorothy Grazier; Cynthia Grisa; Jacquelyn Hall; Percy Hill; Mark Humphreys; Kevin Irwin; Maria Knee; Kimberley Knighton; Dan LaFleur; William Marston; Curt Martin; Jan Martin; John Miles; Carl J. Nelson; Christina Nelson; Jill Pinard; Virginia Pinard; Dennis Pymm; Michael Reardon; Christine Reinart; David Seiler; Elise Smith; Bill Tirone; Carolann Wais; Bradley Wolff; and Ellen Zimmerman, RN, M.Ed.

Chichester School Board, Cooperative Middle School, Londonderry High School, Adeline C. Marston Elementary School, Pittsfield Elementary School, Simonds Elementary School.●

TRIBUTE TO GENERAL BURWELL BAXTER BELL

● Mr. WARNER. Mr. President, I wish to recognize the professional dedication, vision, and military service of GEN B.B. Bell, who is retiring from the U.S. Army after 39 years of dedicated service. It is a privilege for me to recognize the many outstanding achievements General Bell has provided the

Army and our great Nation. General Bell was commissioned as a distinguished military graduate and second lieutenant in 1969 upon graduation from the University of Tennessee at Chattanooga. Following commissioning, General Bell specialized in armor and served with distinction as he rose through the ranks. His orders took him to posts throughout the United States, Germany, and the Middle East.

General Bell assumed command of the United Nations Command, Republic of Korea/United States Combined Forces command, and United States Forces Korea on February 3, 2006.

During his time in command, North Korea made provocative missile launches and numerous demilitarized zone and airspace incursions. Despite these threats, General Bell maintained military readiness even as he reduced the U.S. footprint in Korea by moving soldiers, civilians, and family members south, thus transforming the commands in Korea.

In addition, General Bell has been a principal participant in the fast-paced bilateral military and political discussions, where he has earned the reputation as a well-respected ambassador for the United States. He also developed and maintained close ties with the military and civilian leadership of the Republic of Korea in partnership with the U.S. Ambassador to Korea. He has helped fuse a lasting bond between the two countries.

General Bell is a soldier's soldier. Throughout his career, he has made the wellbeing of soldiers, families, and civilians a priority. He expects those serving below him to do the same.

During service in Desert Shield and Desert Storm as the United States Central Command executive officer, he worked to ensure that each soldier was properly prepared, trained, and equipped for the mission and that every family was cared for by a Family Readiness Group.

Throughout his illustrious career in the Army, General Bell has been nothing less than exceptional. He is a great credit to the Army and this country. I wish him and his wife Katie well in their new endeavors.●

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.)

MESSAGE FROM THE HOUSE

At 2:37 p.m., a message from the House of Representatives, delivered by Ms. Niland, 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. 5658. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5658. An act to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to amend the Servicemembers Civil Relief Act to provide for the protection of child custody arrangements for parents who are members of the Armed Forces deployed in support of a contingency operation, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6359. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Sorghum Promotion, Research, and Consumer Information'' ((RIN0581–AC70)(Docket No. AMS–LS–07–0056)) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6360. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Avocados Grown in South Florida and Imported Avocados; Revision of the Maturity Requirements'' (Docket No. AMS–FV–07–0054) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6361. A communication from the Administrator, Office of the Secretary, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice Governing Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes'' (Docket No. AMS–LRRS–08–0015) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6362. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Potato Grade Standards'' (Docket No. AMS–2006–0136) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6363. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Peanut Promotion, Research, and Information Order; Amendment to Primary Peanut-Producing States and Adjustment of Membership'' (Docket No. AMS–FV–08–0001) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6364. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Olives Grown in California; Decreased Assessment Rate'' (Docket No. AMS–FV–07–0155) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6365. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2008–2009 Marketing Year'' (Docket No. AMS–FV–07–0135) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6366. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Onions Grown in South Texas; Increased Assessment Rate'' (Docket No. AMS–FV–07–0151) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6367. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California, Change in Reporting Requirements'' (Docket No. FV07–983–2 FR) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6368. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pistachios Grown in California; Change in Reporting Requirements'' (Docket No. AMS–FV–07–0095) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6369. A communication from the Administrator, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida'' (Docket No. FV07–905–610) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6370. A communication from the Administrator, Dairy Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Milk in the Appalachian and Southeast Marketing Areas; Correction'' (Docket No. DA–07–03 A) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6371. A communication from the Administrator, Poultry Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Increase in Fees and Charges for Egg, Poultry, and Rabbit Grading; Correction'' (Docket No. AMS–PY–08–0030) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6372. A communication from the Administrator, Dairy Program, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National Dairy Promotion and Research Program, Section

610 Review'' (Docket No. DA–06–04) received on May 29, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6373. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, notification of the Department's decision to convert to contract the intermediate level ship maintenance support functions; to the Committee on Armed Services.

EC–6374. A communication from the Deputy Under Secretary of Defense (Acquisition and Technology), transmitting, pursuant to law, a report relative to each task order contract that was extended in fiscal year 2007 to a period of more than ten years; to the Committee on Armed Services.

EC–6375. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (5) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–6376. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary stores at Idar-Oberstein and Dexheim, Germany; to the Committee on Armed Services.

EC–6377. A communication from the Acting General Counsel of the Department of Defense, transmitting legislative proposals relative to the National Defense Authorization Bill for fiscal year 2009; to the Committee on Armed Services.

EC–6378. A communication from the Acting General Counsel of the Department of Defense, transmitting legislative proposals it wants to be included as part of the National Defense Authorization Bill for fiscal year 2009, including one relative to the extension of payment bonuses; to the Committee on Armed Services.

EC–6379. A communication from the Acting General Counsel of the Department of Defense, transmitting legislative proposals it wants to be included as part of the National Defense Authorization Bill for fiscal year 2009, including one relative to the deposit fund for minor beneficiaries; to the Committee on Armed Services.

EC–6380. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''User Fees'' (RIN0790–AH93) received on May 29, 2008; to the Committee on Armed Services.

EC–6381. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC–6382. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to the sale of four Boeing 777–300ER aircraft to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC–6383. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to the export of one Boeing 747–400F cargo aircraft and four installed Rolls Royce engines to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC–6384. A communication from the Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Foreign Trade Regulations: Mandatory Automated Export System Filing for All Shipments Requiring Shipper's Export Declaration Information'' (RIN0607–AA38) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6385. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Decrease the Incidental Catch of Weakfish in the Exclusive Economic Zone in Non-Directed Fisheries'' (RIN0648–AV44) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6386. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule, Correction; Correction to Implementation of Amendment 80 and Amendment 85 to Bering Sea and Aleutian Islands Management Area Fishery Management Plan'' (RIN0648–AU68) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6387. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XH84) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6388. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 ft LOA Using Pot or Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XH78) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6389. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Establish 2008 Groundfish Fishery Specifications for Pacific Whiting'' (RIN0648–AW63) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6390. A communication from the Associate Administrator for Aeronautics, Aeronautics Research Mission Directorate, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Development Work for Industry in NASA Wind Tunnels'' (RIN2700–AC81) received on May 29, 2008; to the Committee on Commerce, Science, and Transportation.

EC–6391. A communication from the Secretary of Transportation, transmitting a draft bill intended to authorize certain maritime programs; to the Committee on Commerce, Science, and Transportation.

EC–6392. A communication from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a report on excess harvesting capacity in U.S. fisheries; to the Committee on Commerce, Science, and Transportation.

EC–6393. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report relative to the country of origin and sellers of uranium and uranium enrichment services purchased by owners of U.S. civilian nuclear power reactors during calendar year 2007; to the Committee on Energy and Natural Resources.

EC–6394. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''To rename Martin Luther King, Junior, National Historic Site in the State of Georgia as 'Martin Luther King, Junior, National Historical Park' ''; to the Committee on Energy and Natural Resources.

EC–6395. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''Rio Grande Wild and Scenic River Boundary Adjustment Act of 2008''; to the Committee on Energy and Natural Resources.

EC–6396. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''George Washington Memorial Parkway Boundary Revision Act''; to the Committee on Energy and Natural Resources.

EC–6397. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill intended to adjust the wilderness boundary at Lava Beds National Monument; to the Committee on Energy and Natural Resources.

EC–6398. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill intended to authorize the Secretary to administer the Juan Bautista de Anza National Historic Trail; to the Committee on Energy and Natural Resources.

EC–6399. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''Abraham Lincoln Birthplace National Historical Park Act of 2008''; to the Committee on Energy and Natural Resources.

EC–6400. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''Cape Cod National Seashore Advisory Commission Reauthorization Act''; to the Committee on Energy and Natural Resources.

EC–6401. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''To modify the boundary of Voyageurs National Park in the State of Minnesota''; to the Committee on Energy and Natural Resources.

EC–6402. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''To designate as wilderness certain lands within the Pictured Rocks National Lakeshore in the State of Michigan''; to the Committee on Energy and Natural Resources.

EC–6403. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft bill entitled, ''National Park System Uniform Penalty Amendment Act''; to the Committee on Energy and Natural Resources.

EC–6404. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Annual Update of Filing Fees'' (RIN1902–AD57) received on May 21, 2008; to the Committee on Energy and Natural Resources.

EC–6405. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

''2-Oxepanone, homopolymer; Tolerance Exemption'' (FRL No. 8362–8) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6406. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Interstate Transport of Pollution'' (FRL No. 8573–3) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6407. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Maintenance Plan Update for Dakota County Lead Area'' (FRL No. 8572–6) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6408. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; South Carolina; Prevention of Significant Deterioration and Nonattainment New Source Review Rules'' (FRL No. 8573–2) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6409. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures'' (FRL No. 8573–7) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6410. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures'' (FRL No. 8573–7) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6411. A communication from the Chief of the Branch of Listing of Endangered Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear'' (RIN1018–AV79) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6412. A communication from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Economic Development Administration Reauthorization Act of 2004 Implementation; Regulatory Revision'' (RIN0610–AA63) received on May 29, 2008; to the Committee on Environment and Public Works.

EC–6413. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the Administration's position on budgeting for the Federal navigation improvement project at Akutan Harbor, Alaska, and the Final Feasibility Report on the Harbor; to the Committee on Environment and Public Works.

EC–6414. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the Administration's position on budgeting for the Lock and Dam 3 Mississippi River Navigation Safety and Embankments Navigation Improvement Project; to the Committee on Environment and Public Works.

EC–6415. A communication from the Chief of the Division of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Authorizations Under the Bald and Golden Eagle Protection Act for Take of Eagles: Grandfathering Existing Take Authorizations for Bald and Golden Eagles Under the Endangered Species Act'' (RIN1018–AV11) received on May 21, 2008; to the Committee on Environment and Public Works.

EC–6416. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to abnormal occurrences during fiscal year 2007; to the Committee on Environment and Public Works.

EC–6417. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: State and Local Location Tax Incentives'' (Docket No. LMSB–04–0408–023) received on May 29, 2008; to the Committee on Finance.

EC–6418. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Property Used to Acquire Parent Stock in Certain Triangular Reorganizations Involving Foreign Corporations'' ((RIN1545–BG97)(TD 9400)) received on May 29, 2008; to the Committee on Finance.

EC–6419. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Hospice Care Conditions of Participation'' (RIN0938–AH27) received on May 29, 2008; to the Committee on Finance.

EC–6420. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the use and effectiveness of Medicaid Integrity Program funds; to the Committee on Finance.

EC–6421. A communication from the Social Security Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Parent-to-Child deeming from Stepparents'' (RIN0960–AF96) received on May 29, 2008; to the Committee on Finance.

EC–6422. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2009 Inflation Adjustments for Health Savings Accounts'' (Rev. Proc. 2008–29) received on May 21, 2008; to the Committee on Finance.

EC–6423. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance Under Section 7874 for Determining the Ownership Percentage in the Case of Expanded Affiliated Groups'' ((RIN1545–BE93)(TD 9399)) received on May 21, 2008; to the Committee on Finance.

EC–6424. A communication from the Commissioner, Social Security Administration, transmitting a draft bill intended to make amendments to the Old-Age, Survivors, and Disability Insurance program; to the Committee on Finance.

EC–6425. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Provider Reimbursement Determinations and Appeals'' (RIN0938–AL54) received on May 21, 2008; to the Committee on Finance.

EC–6426. A communication from the Program Manager, Office of the Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''State Long-Term Care Partnership Program: Reporting Requirements for Insurers'' (RIN0991–AB44) received on May 21, 2008; to the Committee on Finance.

EC–6427. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes for Long-Term Care Hospitals Required by Certain Provisions of the Medicare, Medicaid, SCHIP Extension Act of 2007: 3-Year Moratorium on the Establishment of New Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities and Increases in Beds in Existing Long-Term Care Hospitals and Long-Term Care Hospital Satellite Facilities; and 3-Year Delay in the Application of Certain Payment Adjustments'' (RIN0938–AP33) received on May 21, 2008; to the Committee on Finance.

EC–6428. A communication from the Director-General of the Food and Agriculture Organization of the United Nations, transmitting an invitation to a conference on the challenges of climate change and bioenergy; to the Committee on Foreign Relations.

EC–6429. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to the United Kingdom and Greece for the manufacture of the Lightweight 30mm TP projectile and the LW 30mm cartridge case; to the Committee on Foreign Relations.

EC–6430. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles relative to the Proton launch of commercial and foreign non-commercial satellites from Kazakhstan; to the Committee on Foreign Relations.

EC–6431. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a license for the export of defense articles to Japan for the co-development of the Galaxy Express space launch vehicle upgrade program; to the Committee on Foreign Relations.

EC–6432. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a license for the export of defense articles to Japan in support of the manufacture of the M167A1 Vulcan Air Defense System; to the Committee on Foreign Relations.

EC–6433. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles to the Ministry of Defense of Georgia relative to the 20M–134G complete 7.62 mini-gun systems; to the Committee on Foreign Relations.

EC–6434. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a license for the export of defense articles to Russia, Ukraine, and Norway relative to the launch of all commercial and foreign non-commercial satellites from the Pacific Ocean using a modified oil platform; to the Committee on Foreign Relations.

EC–6435. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the re-certification of a proposed

manufacturing license agreement for the export of defense services to the United Kingdom for the manufacture and assembly of component parts into completed SINCGARDS Advanced Tactical Communication Systems; to the Committee on Foreign Relations.

EC–6436. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the effectiveness of programs assisted under the Lead Contamination Control Act of 1988 for fiscal year 2005 to fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–6437. A communication from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (73 FR 28037) received on May 29, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–6438. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report for fiscal year 2007 relative to the Food and Drug Administration's adherence to conditions established in the Federal Food, Drug, and Cosmetic Act; to the Committee on Health, Education, Labor, and Pensions.

EC–6439. A communication from the Secretary, Department of Agriculture, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the six-month period that ended March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6440. A communication from the Chairperson, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting proposed amendments to the Javits-Wagner-O'Day Act; to the Committee on Homeland Security and Governmental Affairs.

EC–6441. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Nonforeign Area Cost-of-Living Allowance Rates; Puerto Rico and Hawaii County, HI'' (RIN3206–AL28) received on May 29, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6442. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Compensatory Time Off for Travel; Prevailing (Wage) Employees'' (RIN3206–AL52) received on May 29, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6443. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of the discontinuation of service in an acting role for the position of Controller, received on May 29, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6444. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a rule entitled ''Accounting for the Costs of Employee Stock Ownership Plans Sponsored by Government Contractors'' (Docket No. 3110–01) received on May 29, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6445. A communication from the Assistant Secretary, Federal Maritime Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, to March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6446. A communication from the Acting Chief Acquisition Officer and Senior Procurement Executive, General Services Administration, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–25'' (FAC 2005–25) received on May 29, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6447. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6448. A communication from the Chairman, U.S. International Trade Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2007, through March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6449. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, ''Auditor's Examination of Contract Cost and Administration for the Integrated Tax System''; to the Committee on Homeland Security and Governmental Affairs .

EC–6450. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, statements describing the organization's financial condition as of December 31, 2007; to the Committee on the Judiciary.

EC–6451. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a nomination and change in previously submitted reported information for the position of U.S. Attorney, District of South Carolina, received on May 21, 2008; to the Committee on the Judiciary.

EC–6452. A communication from the Acting Chief, Regulatory Management Division, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Establishment of a Genealogy Program'' (RIN1615–AB19) received on May 21, 2008; to the Committee on the Judiciary.

EC–6453. A communication from the White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on May 29, 2008; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 3076. A bill to amend the Internal Revenue Code of 1986 to provide a tax deduction for itemizers and nonitemizers for expenses relating to home schooling; to the Committee on Finance.

By Mr. REID (for Mr. OBAMA (for himself, Mr. COBURN, Mr. CARPER, and Mr. MCCAIN)):

S. 3077. A bill to strengthen transparency and accountability in Federal spending; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS (for herself and Mrs. CLINTON):

S. 3078. A bill to establish a National Innovation Council, to improve the coordination of innovation activities among industries in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. CARDIN, Mr. SANDERS, Mr. FEINGOLD, and Mr. BROWN):

S.J. Res. 37. A joint resolution expressing the sense of Congress that the United States should sign the Declaration of the Oslo Conference on Cluster Munitions and future instruments banning cluster munitions that cause unacceptable harm to civilians; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. INHOFE (for himself and Mr. DODD):

S. Res. 581. A resolution designating June 6, 2008, as ''National Huntington's Disease Awareness Day''; considered and agreed to.

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

S. Con. Res. 86. A concurrent resolution expressing the sense of Congress that the United States, through the International Whaling Commission, should use all appropriate measures to end commercial whaling in all of its forms and seek to strengthen measures to conserve whale species; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 394

At the request of Mr. AKAKA, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor 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. 399

At the request of Mr. BUNNING, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 399, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid program.

S. 582

At the request of Mr. SMITH, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 582, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 937

At the request of Mr. KERRY, his name was added as a cosponsor of S. 937, a bill to improve support and services for individuals with autism and their families.

S. 970

At the request of Mr. SMITH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 1042

At the request of Mr. ENZI, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1042, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 1120

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1120, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine and public health.

S. 1183

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1183, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1204

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1204, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 1437

At the request of Ms. STABENOW, the names of the Senator from Indiana (Mr. BAYH), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1954

At the request of Mr. BAUCUS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1995

At the request of Mr. SALAZAR, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1995, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 2042

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2042, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 2162

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2162, a bill to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes.

S. 2173

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2173, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 2579

At the request of Mr. INOUYE, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2579, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the colonial period to today.

S. 2667

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2667, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 2682

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 2682, a bill to direct United States funding to the United Nations Population Fund for certain purposes.

S. 2736

At the request of Mr. KOHL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2736, a bill to amend section 202 of the Housing Act of 1959 to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 2760

At the request of Mr. BOND, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 2760, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 2818

At the request of Mr. ENZI, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2818, a bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide for enhanced health insurance marketplace pooling and relating market rating.

S. 2858

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2858, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 2932

At the request of Mrs. MURRAY, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2990

At the request of Mr. KERRY, the names of the Senator from Indiana (Mr. BAYH), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2990, a bill to amend title XVIII of the Social Security Act to improve access of Medicare beneficiaries to intravenous immune globulins.

S. 3070

At the request of Mr. SESSIONS, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3070, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other proposes.

S. RES. 551

At the request of Mr. BAUCUS, the names of the Senator from Colorado (Mr. ALLARD), the Senator from North Carolina (Mr. BURR), the Senator from Delaware (Mr. CARPER), the Senator from Maine (Ms. COLLINS), the Senator from North Dakota (Mr. DORGAN), the Senator from Alaska (Mr. STEVENS), the Senator from New Hampshire (Mr. SUNUNU), the Senator from Montana (Mr. TESTER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Res. 551, a resolution celebrating 75 years of successful State-based alcohol regulation.

S. RES. 572

At the request of Mrs. DOLE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 572, a resolution calling upon the Court of Appeal for the Second Appellate District of California to uphold the fundamental and constitutional right of parents to direct the upbringing and education of their children.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for Mr. OBAMA (for himself, Mr. COBURN, Mr. CARPER, and Mr. MCCAIN)):

S. 3077. A bill to strengthen transparency and accountability in Federal spending; to the Committee on Homeland Security and Governmental Affairs.

Mr. OBAMA. I am proud today to introduce the Strengthening Transparency and Accountability in Federal Spending Act of 2008. This important legislation will improve Government transparency and give the American people greater tools to track and monitor nearly $2 trillion of Government spending on contracts, grants, and other forms of assistance.

Throughout my time in public service, I have consistently fought to increase the openness and accessibility of Government and to encourage greater participation by people of all interests and backgrounds in public debates. One of the most important public debates is how Washington spends the people's money. Unfortunately, it has been far too difficult for ordinary citizens to see where, how, and why money is spent.

Congress took a big step toward improving transparency two years ago when it passed the Federal Funding Accountability and Transparency Act that I introduced with Senator COBURN. That bill, which created the public website USASpending.gov, makes information about nearly all Federal grants, contracts, loans and other financial assistance available to the public in a regularly updated, user-friendly, and searchable format. The website includes the names of entities receiving Federal awards, the amounts of the awards, information on the awards including transaction types, funding agencies, location, and other information. Soon the website will also include information about subcontracts and subgrants.

Our work is not done however. The early success of USASpending.gov has demonstrated that additional public information should be made available. Whether you believe Government ought to spend more or spend less or just spend differently, we all should be able to agree that Government spending should be transparent and that public information ought to be accessible to the public. We should also be able to agree that the quality of Government financial data must be improved and made more reliable.

Today I am pleased to be joined by Senators COBURN, CARPER, and MCCAIN on a bill to build upon USASpending.gov and further advance Government transparency. In addition to a few technical corrections, the bill we are introducing today will require the website to include additional public information, including a copy of each Federal contract in both PDF and searchable text format. The improved website will also include details about competitive bidding, the range of technically acceptable bids or proposals, the profit incentives offered for each contract, and the complete amount of money awarded, including any options to expand or extend under a contract.

With this legislation, the website will also show if a Federal grant or contract is the result of an earmark as well as provide an assessment of the quality of work performed. Ordinary citizens will be able to use the website to find information about Federal audit disputes and resolutions, terminations of Federal awards, contractor and grantee tax compliance, suspensions and debarments, and administrative agreements involving Federal award recipients. The website can also be used to find information about any civil, criminal, or administrative actions taken against Federal award recipients, including for violations related to the workplace, environmental protection, fraud, securities, and consumer protections.

Under the enhanced website, information about government lease agreements and assignments will be available in the same manner that information is reported for contracts and grants. Information about parent company ownership will also be available.

In addition to improving the transparency and accessibility of public data, our bill will also improve the quality and usability of data that is made available. For one thing the data on USASpending.gov will be accessible through an application programming interface. The bill also requires the use of unique award identifiers that prevent the release of personally identifiable information. Finally, the bill creates a simple method for the public to report errors and track the performance of agencies in confirming or correcting errors while also requiring regular audits of data quality.

People from every State in this great Nation sent us to Congress to defend their rights and stand up for their interests. To do that we have to tear down the barriers that separate citizens from the democratic process and to shine a brighter light on the inner workings of Washington.

This bill helps to shine that light. It is simple common sense and good governance that has been endorsed by a diverse range of grassroots organizations and Government watchdog groups, including the American Association of Law Libraries, Americans for Democratic Action, Americans for Tax Reform, the Center for American Progress, the Center for Democracy & Technology, Citizens for Responsibility and Ethics in Washington, the Environmental Working Group, the Federation of American Scientists, the Government Accountability Project, the National Taxpayer Union, OMB Watch, OpenTheGovernment.org, POGO, Public Citizen, Sciencecorps, the Sunlight Foundation, Taxpayers for Common Sense Action, U.S. Action, and U.S. PIRG among others.

This bill continues the bipartisan progress we have made opening up Washington to greater scrutiny and oversight. I am grateful for continued grassroots leadership on these issues and I appreciate the hard work of my Senate colleagues. Together I know we can change the way business is done in this town and make our Government more accountable to the people who sent us here to work for them. I urge support for this important legislation.

By Ms. COLLINS (for herself and Mrs. CLINTON):

S. 3078. A bill to establish a National Innovation Council, to improve the coordination of innovation activities among industries in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I rise today to introduce the National Innovation and Job Creation Act, a bill which aims to spur the adoption of new technologies and practices that can accelerate economic growth and build a secure foundation for good, high-paying jobs. I am pleased that Senator CLINTON joins me in offering this legislation.

We are all familiar with the fiscal challenges our Nation will face in the coming years. Over the next 2 decades, more than 75 million members of the Baby Boom generation will leave the workforce and enter retirement. The loss of their participation in the workforce, coupled with our Social Security obligations and rising healthcare costs, will put enormous strains on our economy. So too will competition from other countries, brought about by increased international trade and globalization. If we do not act to strengthen our competitiveness, our nation's ability to create good, high-paying jobs will be severely tested.

Indeed, there are already troubling signs that our economy's competitive edge has been dulled, and we are losing ground to other nations. In just the last 4 months, we've seen 340,000 jobs lost across the country. According to the Bureau of Labor Statistics, there are 1.6 million more workers unemployed today than in 2001, and 800,000 more workers unemployed than just

one year ago. Our trade deficit is now 6.5 percent of GDP—the highest in history—while manufacturing continues its decades-long decline, accounting for only 12.1 percent of GDP in 2006. We now import more high-technology products than we sell to other nations, and even in agriculture, where America has long been the world leader, our trade surplus is dropping toward zero.

Even the service sector is not immune from the effects of international competition. With the increased telecommunications capacity provided by trans-oceanic fiber-optic networks, geographic proximity to the market is no longer necessary for services such as back-office operations, call-centers, and software development.

As the Brookings Institute pointed out in a series of recent white papers on the topic of Innovation, ''the growth of international trade and the globalization of production make it increasingly important for the United States to innovate to maintain its standard of living.'' They explain that low-wage countries will always find it easier to compete with America for labor-intensive work that is difficult-to-automate, but that does not mean that we must surrender whole industries to China and India, nor does it mean that we must fear the inevitable loss of high value-added jobs that depend upon research and development, and advanced technology.

Rather, it means that we must build upon what has always given America its competitive edge—innovation. This means taking what has already been invented, and putting it to use. It is only by doing this that we can raise our productivity rate, and ultimately, continue to create the high-paying jobs that Americans need and deserve.

Last year, with the passage of the America COMPETES Act, we took an important step toward bolstering research and education that can serve as the foundation for future innovation. But we must go beyond this, to help enterprises understand innovative technologies and services that can make them more competitive, and to help them overcome the barriers they face in adopting these innovations.

That is what the bill Senator CLINTON and I are introducing today aims to do. The bill creates a National Innovation Council in the Executive Office of the President, to take the lead in coordinating existing Federal efforts on innovation, and to help support those efforts at the State and local level. Six Federal programs that share innovation-based missions would be relocated to the NIC. These are: The Manufacturing Extension Partnership Program (the ''MEP''), the Technology Innovation Program, Partnerships for Innovation, the Industry-University Cooperative Research Center Program, the Engineering Research Center Program, and the Workforce Innovations in Regional Economic Development program, known as the ''WIRED'' program.

The operation and funding of these existing programs would be unaltered by my legislation, but the NIC would lead these programs to coordinate their activities where feasible.

The NIC would operate several grant programs to support efforts to spread innovation and create good jobs. Chief among these would be a grant program to support innovation-based economic development partnerships in every State. The NIC would also provide grants for the diffusion of technology in every state, operating through the existing MEP program.

The NIC would also oversee a new ''Cluster Development'' program which would operate alongside the six existing programs I have already mentioned. I want to focus for a moment on this aspect of my proposal since cluster development is so essential to our ability to keep and create good, high-paying jobs in the face of international competition.

''Clusters'' are geographic areas where interrelated economic activity is taking place. Businesses that locate in a cluster build the foundation they all rely on to succeed, even as they compete with one another. Because of this, clusters are often at the heart of strong regional economies. Silicon Valley in California, Route 128 around Boston, and the Research Triangle Park in Raleigh-Durham, North Carolina, are famous examples of clusters in the high-tech sector. But cluster development is not just a phenomenon of the high-tech industry—successful clusters can and do arise in any sector of the economy. Think insurance in Connecticut, theme parks in Florida, movies in Hollywood, and boatbuilding in Maine. Each of these ''clusters'' is built around a skilled labor force that can command good wages, and is ready to compete with the best the world has to offer.

In Maine, cluster development has been championed by Karen Mills, the primary author of the Brookings Institute's white paper ''Clusters and Competitiveness.'' From her work in helping Maine secure $15 million in WIRED funding to further develop the composite and boatbuilding clusters in a project that hopes to create 2,500 high-quality jobs over the next 5 to 7 years, to her current position as chair of Maine's Council on Competitiveness and the Economy, Karen's hard work and dedication on cluster development is unsurpassed.

The WIRED grant has enabled Maine to make great progress on cluster development, but more must be done nationally. As Karen explained in the Brookings white paper, our Nation's network of cluster initiatives is ''thin and uneven,'' and consequently ''many U.S. industry clusters are not as competitive as they could be, to the detriment of the nation's capacity to sustain well-paying jobs.'' Because of this, ''too many workers are losing decent jobs, and too many regions are struggling economically.''

The Cluster Development program we are proposing in this bill is modeled after the Department of Labor's WIRED program. It would identify geographic regions where cluster activity is taking place or can develop, and provide assistance to local and regional efforts to build on those clusters.

I look forward to working with my colleagues on this and other proposals to bolster innovation, strengthen our Nation's competitiveness, and most of all, help preserve the foundation for high-quality jobs in the face of the coming economic challenges.

Mrs. CLINTON. Mr. President, today I introduce the National Innovation Act of 2008, a bill that will strengthen America's leadership in technology and manufacturing innovation, while helping to keep and create more jobs here at home. I would like to recognize my colleague, Senator COLLINS, for her leadership on this bill, and I thank her and her staff for all their hard work.

Our Nation is at a crossroads. Every day we hear of more jobs being sent oveaseas and new technology centers growing halfway across the world. In this increasingly global economy, we need to have the tools and the knowledge to compete and succeed. There is no doubt that technology and innovation will be the foundation of the new economy. And America must be at the forefront of this new, innovation economy.

The National Innovation Act is a comprehensive plan to spur the growth of innovative technologies to increase America's productivity gains and economic growth. It builds on the long-standing bipartisan commitment to improve our Nation's competitiveness by strengthening our innovation infrastructure.

This new legislation creates a ''National Innovation Council'' to coordinate Federal innovation policy, and to help support efforts at the State and local level to accelerate the adoption of innovation technologies throughout the economy. It will include six existing Federal programs which share this important innovation-based mission.

The National Innovation Act also establishes a CLUSTER Information Center and a Cluster Grant Program. The CLIC will collect, develop, and disseminate analysis on industry clusters throughout all 50 States, provide technical assistance guides for regional cluster development, and develop initiatives and programs.

Since I took office, I have devoted time and energy into trying to help the economically distressed communities throughout New York State, particularly those in upstate New York that were once economically vibrant but now are facing a declining economy. This legislation will help revitalize communities in upstate New York and across the country who have been hit hard by manufacturing and job loss by establishing regional economic clusters. It will bring innovation to every corner of America. Communities can

use cluster grants to build on the strengths of their particular regions by utilizing the skills and knowledge base of local businesses, economic developers, colleges and universities, scientists, nonprofits, and the public sector.

In order to secure the future of America's economy we must create new, good-paying jobs here at home. Investing in new technologies and industries will expand our workforce, ensuring America remains competitive in the global economy and putting us on a course toward growth and prosperity for future generations.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. CARDIN, Mr. SANDERS, Mr. FEINGOLD, and Mr. BROWN):

S.J. Res. 37. A joint resolution expressing the sense of Congress that the United States should sign the Declaration of the Oslo Conference on Cluster Munitions and future instruments banning cluster munitions that cause unaccapetable harm to civilians; to the Committee on Foreign Relations.

Mr. LEAHY. Mr. President, I am pleased to join with my friend from California, Senator FEINSTEIN, in sponsoring this joint resolution calling on the administration to sign the Convention on Cluster Munitions when it is open for signature in December.

This treaty is the product of a year of negotiations among many of our closest allies and other nations that came together to prohibit the use of cluster munitions that cause unacceptable harm to civilians.

I regret that the United States did not participate in the negotiations. The Pentagon continues to insist that cluster munitions are necessary, but the country with the world's most powerful military should not be on the sidelines while others are trying to protect the lives and limbs of civilians in war.

Any weapon, whether cluster munitions, landmines or even poison gas, has some military utility. But anyone who has seen the indiscriminate devastation cluster munitions cause over a wide area understands the unacceptable threat they pose for civilians. These are not the laser guided weapons that were shown destroying their targets during the invasion of Baghdad.

And there is the insidious problem of cluster munitions that do not explode as designed, and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child, or a farmer.

This resolution follows an amendment I sponsored which prohibits U.S. sales and exports of cluster munitions that do not meet strict criteria, which became law as part of the Consolidated Appropriations Act, 2008. These criteria are no different from what the Pentagon set for itself 7 years ago for new procurements of cluster munitions, applied also to those in existing U.S. stockpiles. Senator FEINSTEIN and I have also introduced legislation that would apply these same criteria to the use of cluster munitions. That legislation now has 20 cosponsors.

I want to express my appreciation to the Government of Norway for its leadership in initiating the process that led to the agreement on the treaty in Dublin, and to the Cluster Munitions Coalition, a group of some 200 nongovernmental organizations that worked diligently in support of the treaty.

I traveled to Dublin last week to meet with delegates to the negotiations, including the president of the Conference Daithi O'Ceallaigh. He did a masterful job of guiding the discussions to a successful conclusion.

There are some who have dismissed this effort as a ''feel good'' exercise, since it does not have the support of the United States and other major powers such as Russia, China, Pakistan, India and Israel. These are the same critics of the Ottawa treaty banning antipersonnel landmines, which the U.S. and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold and stockpiled, and the number of mine victims has fallen sharply. Any government that contemplates using landmines today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

The administration insists that the Convention on Certain Conventional Weapons, known as the CCW, is the right place to negotiate limits on cluster munitions because all countries are represented. I don't doubt their intentions, but it is what they said about landmines, and nothing happened because Russia and China were opposed. The same is likely for cluster munitions. It is a way to make it appear as if you are doing something, when you are not.

It is important to note that the U.S. today has the technological ability to produce cluster munitions that would not be prohibited by the treaty. What is lacking is the political will to expend the necessary resources. There is no other excuse for continuing to use cluster munitions that cause unacceptable harm to civilians.

Finally, I want to thank Senator FEINSTEIN who has shown a real passion for this issue and has sought every opportunity to protect civilians from these weapons.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 581—DESIGNATING JUNE 6, 2008, AS ''NATIONAL HUNTINGTON'S DISEASE AWARENESS DAY''

Mr. INHOFE (for himself and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 581

Whereas Huntington's Disease is a progressive degenerative neurological disease that causes total physical and mental deterioration over a 12 to 15 year period;

Whereas each child of a parent with Huntington's Disease has a 50 percent chance of inheriting the Huntington's Disease gene;

Whereas Huntington's Disease typically begins in mid-life, between the ages of 30 and 45, though onset may occur as early as the age of 2;

Whereas children who develop the juvenile form of the disease rarely live to adulthood;

Whereas the average lifespan after onset of Huntington's Disease is 10 to 20 years, and the younger the age of onset, the more rapid the progression of the disease;

Whereas Huntington's Disease affects 30,000 patients and 200,000 genetically ''at risk'' individuals in the United States;

Whereas, since the discovery of the gene that causes Huntington's Disease in 1993, the pace of Huntington's Disease research has accelerated;

Whereas, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming;

Whereas researchers across the Nation are conducting important research projects involving Huntington's Disease; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of Huntington's Disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 6, 2008, as ''National Huntington's Disease Awareness Day'';

(2) recognizes that all people of the United States should become more informed and aware of Huntington's Disease; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Huntington's Disease Society of America.

SENATE CONCURRENT RESOLUTION 86—EXPRESSING THE SENSE OF CONGRESS THAT THE UNITED STATES, THROUGH THE INTERNATIONAL WHALING COMMISSION, SHOULD USE ALL APPROPRIATION MEASURES TO END COMMERCIAL WHALING IN ALL OF ITS FORMS AND SEEK TO STRENGTHEN MEASURES TO CONSERVE WHALE SPECIES

Mr. KERRY (for himself and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 86

Whereas 78 countries have adopted the International Convention for the Regulation of Whaling, signed at Washington December 2, 1946 (TIAS 1849) (in this preamble referred to as the ''Convention''), which established the International Whaling Commission (in this preamble referred to as the ''Commission'') to provide for the conservation of whale stocks;

Whereas the Commission has adopted a moratorium on commercial whaling in order to conserve and promote the recovery of whale stocks, many of which had been hunted to near extinction by the whaling industry;

Whereas the United States was instrumental in the adoption of the moratorium and has led international efforts to address the threat posed by commercial whaling for more than 3 decades;

Whereas, despite the moratorium, 3 countries that are parties to the Convention continue to kill whales for financial gain, disregarding the protests of other parties;

Whereas those 3 countries have killed more than 25,000 whales since the moratorium entered into force, including more than 11,000 whales killed under the guise of scientific research;

Whereas whaling conducted for scientific purposes has been found to be unnecessary by the majority of the world's cetacean scientists because nonlethal research alternatives exist;

Whereas the parties to the Convention have adopted numerous resolutions opposing and calling for an end to so-called scientific whaling, most recently in 2007 at the annual Commission meeting in Anchorage, Alaska;

Whereas commercial whaling in any form, including special permit whaling and any coastal or community-based whaling, undermines the conservation mandate of the Convention and impairs the Commission's ability to function effectively;

Whereas all coastal whaling is commercial, unless conducted under the aboriginal exemption to the moratorium on commercial whaling; and

Whereas the majority of the people of the United States oppose the killing of whales for commercial purposes and expect the United States to use all available means to end such killing: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the United States, through the International Whaling Commission, should—

(1) use all appropriate measures to end commercial whaling in any form, including so-called scientific whaling;

(2) oppose any initiative that would result in any new, Commission-sanctioned coastal or community-based whale hunting, even if the whale hunting is portrayed as noncommercial and including any commercial whaling by coastal communities that does not qualify as aboriginal subsistence whaling; and

(3) seek to strengthen conservation and management measures to facilitate the conservation of whale species.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4822. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table.

SA 4823. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 3036, supra; which was ordered to lie on the table.

SA 4824. Mrs. BOXER (for Mr. AKAKA (for himself and Mr. BURR)) proposed an amendment to the bill S. 2162, to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes.

TEXT OF AMENDMENTS

SA 4822. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

Strike the table that appears on page 162 after line 17 and insert the following:

Calendar year	Percentage for auction for Climate Change Worker Training and Assistance Fund
2012	3
2013	3
2014	3
2015	3
2016	2.5
2017	2.5
2018	2.5
2019	2.5
2020	2.5
2021	3
2022	3
2023	3
2024	3
2025	3
2026	2
2027	2
2028	3
2029	3
2030	3
2031	4
2032	4
2033	4
2034	4
2035	4
2036	4
2037	4
2038	4
2039	3
2040	3
2041	3
2042	3
2043	3
2044	3
2045	3
2046	3
2047	3
2048	3
2049	3
2050	3.

Strike the table that appears on page 193 before line 1 and insert the following:

Calendar year	Percentage for distribution among fossil fuel-fired electricity generators in United States
2012	13
2013	13
2014	13
2015	13
2016	12.75
2017	12.5
2018	12.25
2019	11.25
2020	10
2021	8.5
2022	7.25
2023	6.25
2024	6
2025	5.75
2026	3.75
2027	3.5
2028	3.25
2029	3
2030	2.75.

Beginning on page 196, strike line 18 and all that follows through page 201, line 17.

Strike the table that appears on page 203 after line 2 and insert the following:

Calendar year	Percentage for auction for Climate Change Consumer Assistance Fund
2012	15.25
2013	15.5
2014	15.5
2015	15.75
2016	16
2017	16.25
2018	15.75
2019	16.75
2020	16.75
2021	16.75
2022	16.75
2023	16.75
2024	16.75
2025	16.75
2026	16.75
2027	16.75
2028	16.75
2029	16.75
2030	17.75
2031	18
2032	18
2033	18
2034	19
2035	19
2036	19
2037	19
2038	19
2039	19
2040	19
2041	19
2042	19
2043	19
2044	19
2045	19
2046	19
2047	19
2048	19
2049	19
2050	19.

On page 204, between lines 2 and 3, insert the following:

SEC. 584. USE OF FUNDS.

(a) IN GENERAL.—Subject to section 585, of amounts deposited in the Climate Change Consumer Assistance Fund under section 583, the Administrator shall use—

(1) of the proceeds from the auction of the initial 14 percent of the percentage of emission allowances auctioned under section 582 for each calendar year—

(A) not less than 50 percent to provide assistance to low-income households under the program described in subsection (b); and

(B) not less than 50 percent to provide an earned income tax credit in accordance with subsection (c); and

(2) the remaining proceeds from auctions under section 582 to carry out other tax initiatives to protect consumers, especially consumers in greatest need, from increases in energy and other costs as a result of this Act in accordance with subsection (d).

(b) PROGRAM FOR OFFSETTING IMPACTS ON LOWER-INCOME AMERICANS.—

(1) DEFINITIONS.—In this subsection:

(A) ADMINISTRATOR.—The term ''Administrator'' means—

(i) the Administrator of the Environmental Protection Agency; or

(ii) the head of a Federal agency designated by the Administrator for the purposes of this subsection.

(B) ELDERLY OR DISABLED MEMBER.—The term ''elderly or disabled member'' has the meaning given the term in section 3 of the Food Stamp Act of 1977 (7 U.S.C. 2012).

(C) GROSS INCOME.—The term ''gross income'' means the gross income of a household that is determined in accordance with standards and procedures established under section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014).

(D) HOUSEHOLD.—The term ''household'' means—

(i) an individual who lives alone; or

(ii) a group of individuals who live together.

(E) POVERTY LINE.—The term ''poverty line'' has the meaning given the term in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section.

(F) PROGRAM.—The term ''Program'' means the Climate Change Rebate Program established under paragraph (2).

(G) STATE.—The term ''State'' means—

(i) each of the several States of the United States;

(ii) the District of Columbia;

(iii) the Commonwealth of Puerto Rico;

(iv) Guam;

(v) American Samoa;

(vi) the Commonwealth of the Northern Mariana Islands; and

(vii) the United States Virgin Islands.

(H) STATE AGENCY.—

(i) IN GENERAL.—The term ''State agency'' means an agency of State government that has responsibility for the administration of 1 or more federally aided public assistance programs within the State.

(ii) INCLUSIONS.—The term ''State agency'' includes—

(I) a local office of a State agency described in clause (i); and

(II) in a case in which federally aided public assistance programs of a State are operated on a decentralized basis, a counterpart local agency that administers 1 or more of those programs.

(2) CLIMATE CHANGE REBATE PROGRAM.—The Administrator shall establish and carry out a program, to be known as the ''Climate Change Rebate Program'', under which, at the request of a State agency, eligible low-income households within the State shall be provided an opportunity to receive compensation, through the issuance of a monthly rebate, for use in paying certain increased energy-related costs resulting from the regulation of greenhouse gas emissions under this Act.

(3) ELIGIBILITY.—The Administrator shall limit participation in the Program to—

(A) households that the applicable State agency determines meet the gross income test and the asset test standards described in section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014); and

(B) households that do not meet those standards, but that include 1 or more individuals who meet the standards described in section 1860D–14 of the Social Security Act (42 U.S.C. 1395w–114).

(C) LIMITATION.—The Administrator shall establish additional eligibility criteria to ensure that—

(i) only United States citizens, United States nationals, and lawfully residing immigrants are eligible to receive a rebate under the Program; and

(ii) each household does not receive more than 1 rebate per month under the Program.

(4) MONTHLY REBATE AMOUNT.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—The rebate available under the Program for each month of a calendar year shall be established by the Energy Information Administration, in consultation with other appropriate Federal agencies, by not later than October 1 of the preceding calendar year.

(ii) LIMITATION.—The aggregate amount of rebates distributed in any given year shall not exceed the amount described in subsection (a)(1).

(iii) SHORTAGE.—If the amount described in subsection (a)(4) is inadequate to provide monthly rebates to all eligible households, the Administrator shall devise an equitable proration to ensure that all eligible households receive the same portion of the full rebate the eligible households would have been eligible to receive if adequate funds had been provided

(B) METHOD OF CALCULATION.—With respect to the calculation of a monthly rebate under this paragraph—

(i) the maximum monthly rebate provided to a household during any calendar year shall be equal to 1/12 of the projected average annual increase in the costs of goods and services for that calendar year that results from the regulation of greenhouse gas emissions under this Act, taking into consideration—

(I) the size of the household; and

(II) direct and indirect energy costs for consumers in the lowest-income quintile that is affected by the regulation of greenhouse gas emissions, net of the effect of any projected increase in Federal benefits resulting from higher cost-of-living adjustments based on higher energy-related costs;

(ii) each quintile referred to in clause (i)(II) shall—

(I) be based on income adjusted to account for household size; and

(II) represent an equal number of individuals; and

(iii) the amount shall be adjusted by household size, except that the same maximum rebate shall be—

(I) provided to households of 5 or more individuals; and

(II) based on the average cost increases for households of 5 or more individuals.

(C) GREATER THAN 130 PERCENT OF POVERTY LINE.—A household with a gross income that is greater than 130 percent of the poverty line shall not be eligible for a monthly rebate under this subsection.

(5) DELIVERY MECHANISM.—An eligible household shall receive a rebate through an electronic benefit transfer or direct deposit into a bank account designated by the eligible household.

(6) ADMINISTRATION.—

(A) IN GENERAL.—The State agency of each participating State shall assume responsibility for—

(i) the certification of households applying for monthly rebates under this subsection; and

(ii) the issuance, control, and accountability of those rebates.

(B) REIMBURSEMENT OF ADMINISTRATIVE COSTS.—

(i) IN GENERAL.—Subject to such standards as shall be established by the Administrator, the Administrator shall reimburse each State agency for a portion, as described in clauses (ii) and (iii), of the administrative costs involved in the operation by the State agency of the Program.

(ii) INITIAL 3 YEARS.—During the first 3 fiscal years of operation of the Program, the Administrator shall reimburse each State agency for—

(I) 75 percent of the administrative costs of delivering monthly rebates under this subsection; and

(II) 75 percent of any automated data processing improvements or electronic benefit transfer contract amendments that are necessary to provide the monthly rebates.

(iii) SUBSEQUENT YEARS.—During the fourth and subsequent years of operation of the Program, the Administrator shall reimburse each State agency for 50 percent of all administrative costs of delivering the monthly rebates under this subsection.

(C) TREATMENT.—

(i) NOT INCOME OR RESOURCES.—The value of a rebate provided under the Program shall not be considered to be income or a resource for any purpose under any Federal, State, or local law, including laws relating to an income tax, public assistance programs (such as health care, cash aid, child care, nutrition programs, and housing assistance).

(ii) ACTION BY STATE AND LOCAL GOVERNMENTS.—No State or local government a resident of which receives a rebate under the Program shall decrease any assistance that would otherwise be provided to the resident because of receipt of the rebate.

(c) SENSE OF CONGRESS REGARDING EARNED INCOME TAX CREDIT.—It is the sense of Congress that—

(1) the proceeds from the auction of not less than 7 percent of the total quantity of emission allowances auctioned for each calendar year should be used to enhance the earned income tax credit under section 32 of the Internal Revenue Code of 1986 to assist lower-income workers to afford the energy-related costs associated with the regulation of greenhouse gas emissions; and

(2) the Administrator should structure the Climate Change Rebate Program under subsection (b) in a manner than ensures that the program phases out for eligible households that receive an enhanced earned income tax credit as described in this section.

(d) SENSE OF CONGRESS REGARDING ADDITIONAL TAX POLICIES.—It is the sense of Congress that any additional amounts in the Climate Change Consumer Assistance Fund should be used to fund other tax initiatives to protect consumers, especially consumers in greatest need, from increases in energy and other costs as a result of this Act.

On page 204, line 3, strike ''584'' and insert ''585''.

On page 204, strike lines 8 through 14.

On page 205, line 4, strike ''9.5'' and insert ''5.5''.

On page 205, line 17, strike ''9.75'' and insert ''5.75''.

On page 206, line 6, strike ''10'' and insert ''6''.

Beginning on page 207, strike line 22 and all that follows through page 213, line 8.

On page 213, line 9, strike ''(d)'' and insert ''(c)''.

Beginning on page 214, strike line 1 and all that follows through 215, line 9, and insert the following:

(i) to fund cost-effective energy efficiency and demand response programs for all fuels and energy types or in customer-located renewable energy supply in the residential, commercial, and industrial sectors under the oversight of the regulatory agencies of local distribution companies, with significant funding for low-income programs that, in combination with other provisions of this Act, shall be designed to prevent energy bill increases for low-income customers associated with this Act;

(ii) if a local distribution company does not administer energy efficiency programs under the supervision of a regulatory agency, for provision by the local distribution company to the appropriate State energy officer, regulatory agency, or third-party selected by the regulatory agency for use in accordance with this section; and

(iii) during the 5-year period beginning on the date of enactment of this Act, if infrastructure and vendors are not available to cost-effectively implement expanded programs, to provide limited rebates for customers, especially low-income customers, if appropriate.

(B) STATEMENT OF ENCOURAGEMENT.—In carrying out programs under subparagraph (A), local distribution entities are encouraged to give first priority to lowest-income customers.

On page 216, strike lines 8 through 14, and insert the following:

(C)(i) how, and to what extent, the local distribution company used the proceeds of the sale of emission allowances, including the amount of the proceeds directed to each consumer class covered in the form of rebates, energy efficiency, demand response, and distributed generation; and

(ii) the benefits of the programs described in clause (i) with respect to energy and capacity savings and energy generation, using a consistent format and methodology to be developed by the Administrator.

Beginning on page 216, strike line 19 and all that follows through page 217, line 4.

Strike the table that appears on page 280 after line 12 and insert the following:

Calendar year	Percentage for allocation to Early Action Program
2012	3
2013	3
2014	3
2015	2
2016	1.5
2017	1.5
2018	0.5
2019	0.5
2020	0.5
2021	0
2022	0
2023	0
2024	0
2025	0.

SA 4823 Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INSTITUTES FOR OCEAN AND COASTAL ADAPTATION.

(a) ESTABLISHMENT.—The Administrator of the National Oceanic and Atmospheric Administration shall establish 4 regional institutes, to be known as ''Institutes for Ocean and Coastal Adaptation'', at institutions of higher education in the United States for research, planning, and related efforts to assess and prepare for the impacts of climate change on ocean and coastal areas, including the Great Lakes.

(b) LOCATION.—The Administrator shall designate the location of 1 of the regional institutes established under subsection (a) at an institution of higher education in each of the following regions:

(1) The Northeast Region, which shall include Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

(2) The Southeast and Gulf Coast Region, which shall include Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Texas, Virginia, and the Virgin Islands.

(3) The Western/Pacific Region, which shall include Alaska, American Samoa, California, Guam, Hawaii, the Northern Mariana Islands, Oregon, and Washington.

(4) The Great Lakes Region, which shall include Illinois, Indiana, Michigan, Minnesota, and Ohio, and Wisconsin.

(c) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Administrator shall award grants to 4 institutions of higher education to carry out the purposes of this section.

(2) APPLICATION.—An institution of higher education seeking to operate an institute under this section shall submit an application to the Administrator at such time, in such manner, and containing such information as the Administrator may reasonably require.

(d) SCHEDULE.—The Administrator shall—

(1) accept applications for grants under this section beginning not later than 9 months after the date of the enactment of this Act; and

(2) award all of the grants authorized under this section not later than 90 days after the first day on which applications are accepted.

(e) OBJECTIVES.—The Institutes for Ocean and Coastal Adaptation shall be centers of excellence that—

(1) document and predict coastal and ocean effects of climate change; and

(2) serve as a principal national and international resource for providing technical expertise on adaptation strategies for ocean and coastal areas to respond to climate change.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 4824. Mrs. BOXER (for Mr. AKAKA (for himself and Mr. BURR)) proposed an amendment to the bill S. 2162, to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Mental Health and Other Care Improvements Act of 2008''.

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

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—HEALTH CARE MATTERS

SEC. 101. VETERANS BENEFICIARY TRAVEL PROGRAM.

(a) REPEAL OF REQUIREMENT TO ADJUST AMOUNTS DEDUCTED FROM PAYMENTS OR ALLOWANCES FOR BENEFICIARY TRAVEL.—

(1) IN GENERAL.—Section 111(c) is amended—

(A) by striking paragraph (5); and

(B) in paragraph (2), by striking '', except as provided in paragraph (5) of this subsection,''.

(2) REINSTATEMENT OF AMOUNT OF DEDUCTION SPECIFIED BY STATUTE.—Notwithstanding any adjustment made by the Secretary of Veterans Affairs under paragraph (5) of section 111(c) of title 38, United States Code, as such paragraph was in effect before the date of the enactment of this Act, the amount deducted under paragraph (1) of such section 111(c) on or after such date shall be the amount specified in such paragraph.

(b) DETERMINATION OF MILEAGE REIMBURSEMENT RATE.—Section 111(g) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) Subject to paragraph (3), in determining the amount of allowances or reimbursement to be paid under this section, the

Secretary shall use the mileage reimbursement rate for the use of privately owned vehicles by Government employees on official business (when a Government vehicle is available), as prescribed by the Administrator of General Services under section 5707(b) of title 5.'';

(2) by striking paragraphs (3) and (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) Subject to the availability of appropriations, the Secretary may modify the amount of allowances or reimbursement to be paid under this section using a mileage reimbursement rate in excess of that prescribed under paragraph (1).''.

(c) REPORT.—Not later than 14 months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing an estimate of the additional costs incurred by the Department of Veterans Affairs because of this section, including—

(1) any costs resulting from increased utilization of healthcare services by veterans eligible for travel allowances or reimbursements under section 111 of title 38, United States Code; and

(2) the additional costs that would be incurred by the Department should the Secretary exercise the authority described in subsection (g)(3) of such section.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to travel expenses incurred after the expiration of the 90-day period that begins on the date of the enactment of this Act.

SEC. 102. MANDATORY REIMBURSEMENT OF VETERANS RECEIVING EMERGENCY TREATMENT IN NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES UNTIL TRANSFER TO DEPARTMENT FACILITIES.

(a) CERTAIN VETERANS WITHOUT SERVICE-CONNECTED DISABILITY.—Section 1725 is amended—

(1) in subsection (a)(1), by striking ''may reimburse'' and inserting ''shall reimburse''; and

(2) in subsection (f)(1), by striking subparagraph (C) and inserting the following new subparagraph (C):

''(C) until—

''(i) such time as the veteran can be transferred safely to a Department facility or other Federal facility and such facility is capable of accepting such transfer; or

''(ii) such time as a Department facility or other Federal facility accepts such transfer if—

''(I) at the time the veteran could have been transferred safely to a Department facility or other Federal facility, no Department facility or other Federal facility agreed to accept such transfer; and

''(II) the non-Department facility in which such medical care or services was furnished made and documented reasonable attempts to transfer the veteran to a Department facility or other Federal facility.''.

(b) CERTAIN VETERANS WITH SERVICE-CONNECTED DISABILITY.—Section 1728 is amended—

(1) by striking subsection (a) and inserting the following new subsection (a):

''(a) The Secretary shall, under such regulations as the Secretary prescribes, reimburse veterans eligible for hospital care or medical services under this chapter for the customary and usual charges of emergency treatment (including travel and incidental expenses under the terms and conditions set forth in section 111 of this title) for which such veterans have made payment, from sources other than the Department, where such emergency treatment was rendered to such veterans in need thereof for any of the following:

''(1) An adjudicated service-connected disability.

''(2) A non-service-connected disability associated with and held to be aggravating a service-connected disability.

''(3) Any disability of a veteran if the veteran has a total disability permanent in nature from a service-connected disability.

''(4) Any illness, injury, or dental condition of a veteran who—

''(A) is a participant in a vocational rehabilitation program (as defined in section 3101(9) of this title); and

''(B) is medically determined to have been in need of care or treatment to make possible the veteran's entrance into a course of training, or prevent interruption of a course of training, or hasten the return to a course of training which was interrupted because of such illness, injury, or dental condition.'';

(2) in subsection (b), by striking ''care or services'' both places it appears and inserting ''emergency treatment''; and

(3) by adding at the end the following new subsection:

''(c) In this section, the term 'emergency treatment' has the meaning given such term in section 1725(f)(1) of this title.''.

SEC. 103. EPILEPSY CENTERS OF EXCELLENCE.

(a) IN GENERAL.—Subchapter II of chapter 73 is amended by adding at the end the following new section:

''§ 7330A. Epilepsy centers of excellence

''(a) ESTABLISHMENT OF CENTERS.—(1) Not later than 120 days after the date of the enactment of this section, the Secretary shall, upon the recommendation of the Under Secretary for Health, designate not less than six Department health-care facilities as the locations for epilepsy centers of excellence.

''(2) Subject to the availability of appropriations for such purpose, the Secretary shall establish and operate epilepsy centers of excellence at the locations designated pursuant to paragraph (1).

''(b) DESIGNATION OF FACILITIES.—(1) The Secretary may not designate a Department health-care facility as a location for an epilepsy center of excellence under subsection (a)(1) unless the peer review panel established under subsection (c) has determined under that subsection that the proposal submitted by such facility seeking designation as a location for an epilepsy center of excellence is among those proposals that meet the highest competitive standards of scientific and clinical merit.

''(2) In choosing from among the facilities meeting the requirements of paragraph (1), the Secretary shall also consider appropriate geographic distribution when designating the epilepsy centers of excellence under subsection (a)(1).

''(c) PEER REVIEW PANEL.—(1) The Under Secretary for Health shall establish a peer review panel to assess the scientific and clinical merit of proposals that are submitted to the Secretary for the designation of epilepsy centers of excellence under this section.

''(2)(A) The membership of the peer review panel shall consist of experts on epilepsy, including post-traumatic epilepsy.

''(B) Members of the peer review panel shall serve for a period of no longer than two years, except as specified in subparagraph (C).

''(C) Of the members first appointed to the panel, one half shall be appointed for a period of three years and one half shall be appointed for a period of two years, as designated by the Under Secretary at the time of appointment.

''(3) The peer review panel shall review each proposal submitted to the panel by the Under Secretary for Health and shall submit its views on the relative scientific and clinical merit of each such proposal to the Under Secretary.

''(4) The peer review panel shall not be subject to the Federal Advisory Committee Act.

''(d) EPILEPSY CENTER OF EXCELLENCE DEFINED.—In this section, the term 'epilepsy center of excellence' means a Department health-care facility that has (or in the foreseeable future can develop) the necessary capacity to function as a center of excellence in research, education, and clinical care activities in the diagnosis and treatment of epilepsy and has (or may reasonably be anticipated to develop) each of the following:

''(1) An affiliation with an accredited medical school that provides education and training in neurology, including an arrangement with such school under which medical residents receive education and training in the diagnosis and treatment of epilepsy (including neurosurgery).

''(2) The ability to attract the participation of scientists who are capable of ingenuity and creativity in health-care research efforts.

''(3) An advisory committee composed of veterans and appropriate health-care and research representatives of the facility and of the affiliated school or schools to advise the directors of such facility and such center on policy matters pertaining to the activities of the center during the period of the operation of such center.

''(4) The capability to conduct effectively evaluations of the activities of such center.

''(5) The capability to coordinate (as part of an integrated national system) education, clinical care, and research activities within all facilities with such centers.

''(6) The capability to develop jointly a national consortium of providers with interest in treating epilepsy at Department healthcare facilities lacking such centers in order to ensure better access to state-of-the-art diagnosis, research, clinical care, and education for traumatic brain injury and epilepsy throughout the health-care system of the Department. Such consortium should include a designated epilepsy referral clinic in each Veterans Integrated Service Network.

''(7) The capability to assist in the expansion of the Department's use of information systems and databases to improve the quality and delivery of care for veterans enrolled within the Department's health care system.

''(8) The capability to assist in the expansion of the Department telehealth program to develop, transmit, monitor, and review neurological diagnostic tests.

''(9) The ability to perform epilepsy research, education, and clinical care activities in collaboration with Department medical facilities that have centers for research, education, and clinical care activities on complex multi-trauma associated with combat injuries established under section 7327 of this title.

''(e) NATIONAL COORDINATOR FOR EPILEPSY PROGRAMS.—(1) To assist the Secretary and the Under Secretary for Health in carrying out this section, the Secretary shall designate an individual in the Veterans Health Administration to act as a national coordinator for epilepsy programs of the Veterans Health Administration.

''(2) The duties of the national coordinator for epilepsy programs shall include the following:

''(A) To supervise the operation of the centers established pursuant to this section.

''(B) To coordinate and support the national consortium of providers with interest in treating epilepsy at Department healthcare facilities lacking such centers in order

to ensure better access to state-of-the-art diagnosis, research, clinical care, and education for traumatic brain injury and epilepsy throughout the health-care system of the Department.

''(C) To conduct regular evaluations of the epilepsy centers of excellence to ensure compliance with the requirements of this section.

''(3) In carrying out duties under this subsection, the national coordinator for epilepsy programs shall report to the official of the Veterans Health Administration responsible for neurology.

''(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There are authorized to be appropriated $6,000,000 for each of fiscal years 2009 through 2013 for the support of the clinical care, research, and education activities of the epilepsy centers of excellence established and operated pursuant to subsection (a)(2).

''(2) There are authorized to be appropriated for each fiscal year after fiscal year 2013 such sums as may be necessary for the support of the clinical care, research, and education activities of the epilepsy centers of excellence established and operated pursuant to subsection (a)(2).

''(3) The Secretary shall ensure that funds for such centers are designated for the first three years of operation as a special purpose program for which funds are not allocated through the Veterans Equitable Resource Allocation system.

''(4) In addition to amounts authorized to be appropriated under paragraphs (1) and (2) for a fiscal year, the Under Secretary for Health shall allocate to such centers from other funds appropriated generally for the Department medical services account and medical and prosthetics research account, as appropriate, such amounts as the Under Secretary for Health determines appropriate.

''(5) In addition to amounts authorized to be appropriated under paragraphs (1) and (2) for a fiscal year, there are authorized to be appropriated such sums as may be necessary to fund the national coordinator established by subsection (e).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7330 the following new item:

''7330A. Epilepsy centers of excellence.''.

SEC. 104. ESTABLISHMENT OF QUALIFICATIONS FOR PEER SPECIALIST APPOINTEES.

(a) IN GENERAL.—Section 7402(b) is amended—

(1) by redesignating the paragraph (11) relating to other health-care positions as paragraph (14); and

(2) by inserting after paragraph (12) the following new paragraph (13):

''(13) PEER SPECIALIST.—To be eligible to be appointed to a peer specialist position, a person must—

''(A) be a veteran who has recovered or is recovering from a mental health condition; and

''(B) be certified by—

''(i) a not-for-profit entity engaged in peer specialist training as having met such criteria as the Secretary shall establish for a peer specialist position; or

''(ii) a State as having satisfied relevant State requirements for a peer specialist position.''.

(b) PEER SPECIALIST TRAINING.—Section 7402 is amended by adding at the end the following new subsection:

''(g) The Secretary may enter into contracts with not-for-profit entities to provide—

''(1) peer specialist training to veterans; and

''(2) certification for veterans under subsection (b)(13)(B)(i).''.

TITLE II—PAIN CARE

SEC. 201. COMPREHENSIVE POLICY ON PAIN MANAGEMENT.

(a) COMPREHENSIVE POLICY REQUIRED.—Not later than October 1, 2008, the Secretary of Veterans Affairs shall develop and implement a comprehensive policy on the management of pain experienced by veterans enrolled for health care services provided by the Department of Veterans Affairs.

(b) SCOPE OF POLICY.—The policy required by subsection (a) shall cover each of the following:

(1) The Department-wide management of acute and chronic pain experienced by veterans.

(2) The standard of care for pain management to be used throughout the Department.

(3) The consistent application of pain assessments to be used throughout the Department.

(4) The assurance of prompt and appropriate pain care treatment and management by the Department, system-wide, when medically necessary.

(5) Department programs of research related to acute and chronic pain suffered by veterans, including pain attributable to central and peripheral nervous system damage characteristic of injuries incurred in modern warfare.

(6) Department programs of pain care education and training for health care personnel of the Department.

(7) Department programs of patient education for veterans suffering from acute or chronic pain and their families.

(c) UPDATES.—The Secretary shall revise the policy required by subsection (a) on a periodic basis in accordance with experience and evolving best practice guidelines.

(d) CONSULTATION.—The Secretary shall develop the policy required by subsection (a), and revise such policy under subsection (c), in consultation with veterans service organizations and other organizations with expertise in the assessment, diagnosis, treatment, and management of pain.

(e) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the completion and initial implementation of the policy required by subsection (a) and on October 1 of every fiscal year thereafter through fiscal year 2018, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of the policy required by subsection (a).

(2) CONTENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the policy developed and implemented under subsection (a) and any revisions to such policy under subsection (c).

(B) A description of the performance measures used to determine the effectiveness of such policy in improving pain care for veterans system-wide.

(C) An assessment of the adequacy of Department pain management services based on a survey of patients managed in Department clinics.

(D) A assessment of the research projects of the Department relevant to the treatment of the types of acute and chronic pain suffered by veterans.

(E) An assessment of the training provided to Department health care personnel with respect to the diagnosis, treatment, and management of acute and chronic pain.

(F) An assessment of the patient pain care education programs of the Department.

(f) VETERANS SERVICE ORGANIZATION DEFINED.—In this section, the term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

TITLE III—SUBSTANCE USE DISORDERS AND MENTAL HEALTH CARE

SEC. 301. FINDINGS ON SUBSTANCE USE DISORDERS AND MENTAL HEALTH.

Congress makes the following findings:

(1) More than 1,500,000 members of the Armed Forces have been deployed in Operation Iraqi Freedom and Operation Enduring Freedom. The 2005 Department of Defense Survey of Health Related Behaviors Among Active Duty Personnel reports that 23 percent of members of the Armed Forces on active duty acknowledge a significant problem with alcohol use, with similar rates of acknowledged problems with alcohol use among members of the National Guard.

(2) The effects of substance abuse are wide ranging, including significantly increased risk of suicide, exacerbation of mental and physical health disorders, breakdown of family support, and increased risk of unemployment and homelessness.

(3) While veterans suffering from mental health conditions, chronic physical illness, and polytrauma may be at increased risk for development of a substance use disorder, treatment for these veterans is complicated by the need to address adequately the physical and mental symptoms associated with these conditions through appropriate medical intervention.

(4) While the Veterans Health Administration has dramatically increased health services for veterans from 1996 through 2006, the number of veterans receiving specialized substance abuse treatment services decreased 18 percent during that time. No comparable decrease in the national rate of substance abuse has been observed during that time.

(5) While some facilities of the Veterans Health Administration provide exemplary substance use disorder treatment services, the availability of such treatment services throughout the health care system of the Veterans Health Administration is inconsistent.

(6) According to the Government Accountability Office, the Department of Veterans Affairs significantly reduced its substance use disorder treatment and rehabilitation services between 1996 and 2006, and has made little progress since in restoring these services to their pre-1996 levels.

SEC. 302. EXPANSION OF SUBSTANCE USE DISORDER TREATMENT SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure the provision of such services and treatment to each veteran enrolled in the health care system of the Department of Veterans Affairs who is in need of services and treatments for a substance use disorder as follows:

(1) Short term motivational counseling services.

(2) Intensive outpatient or residential care services.

(3) Relapse prevention services.

(4) Ongoing aftercare and outpatient counseling services.

(5) Opiate substitution therapy services.

(6) Pharmacological treatments aimed at reducing craving for drugs and alcohol.

(7) Detoxification and stabilization services.

(8) Such other services as the Secretary considers appropriate.

(b) PROVISION OF SERVICES.—The services and treatments described in subsection (a) may be provided to a veteran described in such subsection—

(1) at Department of Veterans Affairs medical centers or clinics;

(2) by referral to other facilities of the Department that are accessible to such veteran; or

(3) by contract or fee-for-service payments with community-based organizations for the provision of such services and treatments.

(c) ALTERNATIVES IN CASE OF SERVICES DENIED DUE TO CLINICAL NECESSITY.—If the Secretary denies the provision to a veteran of services or treatment for a substance use disorder due to clinical necessity, the Secretary shall provide the veteran such other services or treatments as are medically appropriate.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth, for each medical facility of the Department, the availability of the following:

(1) Medically supervised withdrawal management.

(2) Programs for treatment of alcohol and other substance use disorders that are—

(A) integrated with primary health care services; or

(B) available as specialty substance use disorder services.

(3) Specialty programs for the treatment of post-traumatic stress disorder.

(4) Programs to treat veterans who are diagnosed with both a substance use disorder and a mental health disorder.

SEC. 303. CARE FOR VETERANS WITH MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

(a) IN GENERAL.—If the Secretary of Veterans Affairs provides a veteran inpatient or outpatient care for a substance use disorder and a comorbid mental health disorder, the Secretary shall ensure that treatment for such disorders is provided concurrently—

(1) through a service provided by a clinician or health professional who has training and expertise in treatment of substance use disorders and mental health disorders;

(2) by separate substance use disorder and mental health disorder treatment services when there is appropriate coordination, collaboration, and care management between such treatment services; or

(3) by a team of clinicians with appropriate expertise.

(b) TEAM OF CLINICIANS WITH APPROPRIATE EXPERTISE DEFINED.—In this section, the term ''team of clinicians with appropriate expertise'' means a team consisting of the following:

(1) Clinicians and health professionals with expertise in treatment of substance use disorders and mental health disorders who act in coordination and collaboration with each other.

(2) Such other professionals as the Secretary considers appropriate for the provision of treatment to veterans for substance use and mental health disorders.

SEC. 304. NATIONAL CENTERS OF EXCELLENCE ON POST-TRAUMATIC STRESS DISORDER AND SUBSTANCE USE DISORDERS.

(a) IN GENERAL.—Subchapter II of chapter 73, as amended by sections 210 and 303 of this Act, is further amended by adding at the end the following new section:

''§ 7330C. National centers of excellence on post-traumatic stress disorder and substance use disorders

''(a) ESTABLISHMENT OF CENTERS.—(1) The Secretary shall establish not less than six national centers of excellence on post-traumatic stress disorder and substance use disorders.

''(2) The purpose of the centers established under this section is to serve as Department facilities that provide comprehensive inpatient or residential treatment and recovery services for veterans diagnosed with both post-traumatic stress disorder and a substance use disorder.

''(b) LOCATION.—Each center established in accordance with subsection (a) shall be located at a medical center of the Department that—

''(1) provides specialized care for veterans with post-traumatic stress disorder and a substance use disorder; and

''(2) is geographically situated in an area with a high number of veterans that have been diagnosed with both post-traumatic stress disorder and substance use disorder.

''(c) PROCESS OF REFERRAL AND TRANSITION TO STEP DOWN DIAGNOSIS REHABILITATION TREATMENT PROGRAMS.—The Secretary shall establish a process to refer and aid the transition of veterans from the national centers of excellence on post-traumatic stress disorder and substance use disorders established pursuant to subsection (a) to programs that provide step down rehabilitation treatment for individuals with post-traumatic stress disorder and substance use disorders.

''(d) COLLABORATION WITH THE NATIONAL CENTER FOR POST-TRAUMATIC STRESS DISORDER.—The centers established under this section shall collaborate in the research of the National Center for Post-Traumatic Stress Disorder.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 is amended by inserting after the item relating to section 7330 the following new item:

''7330C. National centers of excellence on post-traumatic stress disorder and substance use disorders.''.

SEC. 305. REPORT ON RESIDENTIAL MENTAL HEALTH CARE FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) REVIEWS.—The Secretary of Veterans Affairs shall, acting through the Office of Mental Health Services of the Department of Veterans Affairs—

(1) not later than six months after the date of the enactment of this Act, conduct a review of all residential mental health care facilities, including domiciliary facilities, of the Veterans Health Administration; and

(2) not later than two years after the date of the completion of the review required by paragraph (1), conduct a follow-up review of such facilities to evaluate any improvements made or problems remaining since the review under paragraph (1) was completed.

(b) REPORT.—Not later than 90 days after the completion of the review required by subsection (a)(1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such review. The report shall include the following:

(1) A description of the availability of care in residential mental health care facilities in each Veterans Integrated Service Network (VISN).

(2) An assessment of the supervision and support provided in the residential mental health care facilities of the Veterans Health Administration.

(3) The ratio of staff members at each residential mental health care facility to patients at such facility.

(4) An assessment of the appropriateness of rules and procedures for the prescription and administration of medications to patients in such residential mental health care facilities.

(5) A description of the protocols at each residential mental health care facility for handling missed appointments.

(6) Any recommendations the Secretary considers appropriate for improvements to such residential mental health care facilities and the care provided in such facilities.

SEC. 306. TRIBUTE TO JUSTIN BAILEY.

This title is enacted in tribute to Justin Bailey, who, after returning to the United States from service as a member of the Armed Forces in Operation Iraqi Freedom, died in a domiciliary facility of the Department of Veterans Affairs while receiving care for post-traumatic stress disorder and a substance use disorder.

TITLE IV—MENTAL HEALTH ACCESSIBILITY ENHANCEMENTS

SEC. 401. PILOT PROGRAM ON PEER OUTREACH AND SUPPORT FOR VETERANS AND USE OF COMMUNITY MENTAL HEALTH CENTERS AND INDIAN HEALTH SERVICE FACILITIES.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasability and advisability of providing to veterans of Operation Iraqi Freedom and Operation Enduring Freedom, and, in particular, veterans who served in such operations as a member of the National Guard or Reserve, the following:

(1) Peer outreach services.

(2) Peer support services provided by licensed providers of peer support services or veterans who have personal experience with mental illness.

(3) Readjustment counseling services described in section 1712A of title 38, United States Code.

(4) Other mental health services.

(b) PROVISION OF CERTAIN SERVICES.—In providing services described in paragraphs (3) and (4) of subsection (a) under the pilot program to veterans who reside in rural areas and do not have adequate access through the Department of Veterans Affairs to the services described in such paragraphs, the Secretary shall, acting through the Office of Mental Health Services and the Office of Rural Health, provide such services as follows:

(1) Through community mental health centers or other entities under contracts or other agreements for the provision of such services that are entered into for purposes of the pilot program.

(2) Through the Indian Health Service pursuant to a memorandum of understanding entered into by the Secretary of Veterans Affairs and the Secretary of Health and Human Services for purposes of the pilot program.

(c) DURATION.—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(d) PROGRAM LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out within areas selected by the Secretary for the purpose of the pilot program in at least two Veterans Integrated Service Networks (VISN).

(2) RURAL GEOGRAPHIC LOCATIONS.—The locations selected shall be in rural geographic locations that, as determined by the Secretary, lack access to comprehensive mental health services through the Department of Veterans Affairs.

(3) QUALIFIED PROVIDERS.—In selecting locations for the pilot program, the Secretary shall select locations in which an adequate number of licensed mental health care providers with credentials equivalent to those of Department mental health care providers are available in Indian Health Service facilities, community mental health centers, and other entities are available for participation in the pilot program.

(e) PARTICIPATION IN PROGRAM.—Each community mental health center, facility of the

Indian Health Service, or other entity participating in the pilot program under subsection (b) shall—

(1) provide the services described in paragraphs (3) and (4) of subsection (a) to eligible veterans, including, to the extent practicable, telehealth services that link the center or facility with Department of Veterans Affairs clinicians;

(2) use the clinical practice guidelines of the Veterans Health Administration or the Department of Defense in the provision of such services; and

(3) meet such other requirements as the Secretary shall require.

(f) COMPLIANCE WITH DEPARTMENT PROTOCOLS.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall comply with—

(1) applicable protocols of the Department before incurring any liability on behalf of the Department for the provision of services as part of the pilot program; and

(2) access and quality standards of the Department relevant to the provision of services as part of the pilot program.

(g) PROVISION OF CLINICAL INFORMATION.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall, in a timely fashion, provide the Secretary with such clinical information on each veteran for whom such health center or facility provides mental health services under the pilot program as the Secretary shall require.

(h) TRAINING.—

(1) TRAINING OF VETERANS.—As part of the pilot program, the Secretary shall carry out a program of training for veterans described in subsection (a) to provide the services described in paragraphs (1) and (2) of such subsection.

(2) TRAINING OF CLINICIANS.—

(A) IN GENERAL.—The Secretary shall conduct a training program for clinicians of community mental health centers, Indian Health Service facilities, or other entities participating in the pilot program under subsection (b) to ensure that such clinicians can provide the services described in paragraphs (3) and (4) of subsection (a) in a manner that accounts for factors that are unique to the experiences of veterans who served on active duty in Operation Iraqi Freedom or Operation Enduring Freedom (including their combat and military training experiences).

(B) PARTICIPATION IN TRAINING.—Personnel of each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall participate in the training program conducted pursuant to subparagraph (A).

(i) ANNUAL REPORTS.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall submit to the Secretary on an annual basis a report containing, with respect to the provision of services under subsection (b) and for the last full calendar year ending before the submission of such report—

(1) the number of—

(A) veterans served; and

(B) courses of treatment provided; and

(2) demographic information for such services, diagnoses, and courses of treatment.

(j) PROGRAM EVALUATION.—

(1) IN GENERAL.—The Secretary shall, through Department of Veterans Affairs Mental Health Services investigators and in collaboration with relevant program offices of the Department, design and implement a strategy for evaluating the pilot program.

(2) ELEMENTS.—The strategy implemented under paragraph (1) shall assess the impact that contracting with community mental health centers, the Indian Health Service, and other entities participating in the pilot program under subsection (b) has on the following:

(A) Access to mental health care by veterans in need of such care.

(B) The use of telehealth services by veterans for mental health care needs.

(C) The quality of mental health care and substance use disorder treatment services provided to veterans in need of such care and services.

(D) The coordination of mental health care and other medical services provided to veterans.

(k) DEFINITIONS.—In this section:

(1) The term ''community mental health center'' has the meaning given such term in section 410.2 of title 42, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(2) The term ''eligible veteran'' means a veteran in need of mental health services who—

(A) is enrolled in the Department of Veterans Affairs health care system; and

(B) has received a referral from a health professional of the Veterans Health Administration to a community mental health center, a facility of the Indian Health Service, or other entity for purposes of the pilot program.

(3) The term ''Indian Health Service'' means the organization established by section 601(a) of the Indian Health Care Improvement Act (25 U.S.C. 1661(a)).

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

TITLE V—MENTAL HEALTH RESEARCH

SEC. 501. RESEARCH PROGRAM ON COMORBID POST-TRAUMATIC STRESS DISORDER AND SUBSTANCE USE DISORDERS.

(a) PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a program of research into comorbid post-traumatic stress disorder (PTSD) and substance use disorder.

(b) DISCHARGE THROUGH NATIONAL CENTER FOR POSTTRAUMATIC STRESS DISORDER.—The research program required by subsection (a) shall be carried out by the National Center for Posttraumatic Stress Disorder. In carrying out the program, the Center shall—

(1) develop protocols and goals with respect to research under the program; and

(2) coordinate research, data collection, and data dissemination under the program.

(c) RESEARCH.—The program of research required by subsection (a) shall address the following:

(1) Comorbid post-traumatic stress disorder and substance use disorder.

(2) The systematic integration of treatment for post-traumatic stress disorder with treatment for substance use disorder.

(3) The development of protocols to evaluate care of veterans with comorbid post-traumatic stress disorder and substance use disorder and to facilitate cumulative clinical progress of such veterans over time.

(d) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Veterans Affairs for each of fiscal years 2008 through 2011, $2,000,000 to carry out this section.

(2) AVAILABILITY.—Amounts authorized to be appropriated by paragraph (1) shall be made available to the National Center on Posttraumatic Stress Disorder for the purpose specified in that paragraph.

(3) SUPPLEMENT NOT SUPPLANT.—Any amount made available to the National Center on Posttraumatic Stress Disorder for a fiscal year under paragraph (2) is in addition to any other amounts made available to the National Center on Posttraumatic Stress Disorder for such year under any other provision of law.

SEC. 502. EXTENSION OF AUTHORIZATION FOR SPECIAL COMMITTEE ON POST-TRAUMATIC STRESS DISORDER.

Section 110(e)(2) of the Veterans' Health Care Act of 1984 (38 U.S.C. 1712A note; Public Law 98–528) is amended by striking ''through 2008'' and inserting ''through 2012''.

TITLE VI—ASSISTANCE FOR FAMILIES OF VETERANS

SEC. 601. CLARIFICATION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE MENTAL HEALTH SERVICES TO FAMILIES OF VETERANS.

(a) IN GENERAL.—Chapter 17 is amended—

(1) in section 1701(5)(B)—

(A) by inserting ''marriage and family counseling,'' after ''professional counseling,''; and

(B) by striking ''as may be essential to'' and inserting ''as the Secretary considers appropriate for''; and

(2) in subsections (a) and (b) of section 1782, by inserting ''marriage and family counseling,'' after ''professional counseling,''.

(b) LOCATION.—Paragraph (5) of section 1701 of title 38, United States Code, shall not be construed to prevent the Secretary of Veterans Affairs from providing services described in subparagraph (B) of such paragraph to individuals described in such subparagraph in centers under section 1712A of such title (commonly referred to as ''Vet Centers''), Department of Veterans Affairs medical centers, community-based outpatient clinics, or in such other facilities of the Department of Veterans Affairs as the Secretary considers necessary.

SEC. 602. PILOT PROGRAM ON PROVISION OF READJUSTMENT AND TRANSITION ASSISTANCE TO VETERANS AND THEIR FAMILIES IN COOPERATION WITH VET CENTERS.

(a) PILOT PROGRAM.—The Secretary of Veterans Affairs shall carry out, through a non-Department of Veterans Affairs entity, a pilot program to assess the feasability and advisability of providing readjustment and transition assistance described in subsection (b) to veterans and their families in cooperation with centers under section 1712A of title 38, United States Code (commonly referred to as ''Vet Centers'').

(b) READJUSTMENT AND TRANSITION ASSISTANCE.—Readjustment and transition assistance described in this subsection is assistance as follows:

(1) Readjustment and transition assistance that is preemptive, proactive, and principle-centered.

(2) Assistance and training for veterans and their families in coping with the challenges associated with making the transition from military to civilian life.

(c) NON-DEPARTMENT OF VETERANS AFFAIRS ENTITY.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program through any for-profit or non-profit organization selected by the Secretary for purposes of the pilot program that has demonstrated expertise and experience in the provision of assistance and training described in subsection (b).

(2) CONTRACT OR AGREEMENT.—The Secretary shall carry out the pilot program through a non-Department entity described in paragraph (1) pursuant to a contract or other agreement entered into by the Secretary and the entity for purposes of the pilot program.

(d) DURATION OF PILOT PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date of

the enactment of this Act, and may be carried out for additional one-year periods thereafter.

(e) LOCATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall provide assistance under the pilot program in cooperation with 10 centers described in subsection (a) designated by the Secretary for purposes of the pilot program.

(2) DESIGNATIONS.—In designating centers described in subsection (a) for purposes of the pilot program, the Secretary shall designate centers so as to provide a balanced geographical representation of such centers throughout the United States, including the District of Columbia, the Commonwealth of Puerto Rico, tribal lands, and other territories and possessions of the United States.

(f) PARTICIPATION OF CENTERS.—A center described in subsection (a) that is designated under subsection (e) for participation in the pilot program shall participate in the pilot program by promoting awareness of the assistance and training available to veterans and their families through—

(1) the facilities and other resources of such center;

(2) the non-Department of Veterans Affairs entity selected pursuant to subsection (c); and

(3) other appropriate mechanisms.

(g) ADDITIONAL SUPPORT.—In carrying out the pilot program, the Secretary of Veterans Affairs may enter into contracts or other agreements, in addition to the contract or agreement described in subsection (c), with such other non-Department of Veterans Affairs entities meeting the requirements of subsection (c) as the Secretary considers appropriate for purposes of the pilot program.

(h) REPORT ON PILOT PROGRAM.—

(1) REPORT REQUIRED.—Not later than six months after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional veterans affairs committees a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the activities under the pilot program as of the date of such report, including the number of veterans and families provided assistance under the pilot program and the scope and nature of the assistance so provided.

(B) A current assessment of the effectiveness of the pilot program.

(C) Any recommendations that the Secretary considers appropriate for the extension or expansion of the pilot program.

(3) CONGRESSIONAL VETERANS AFFAIRS COMMITTEES DEFINED.—In this subsection, the term ''congressional veterans affairs committees'' means—

(A) the Committees on Veterans' Affairs and Appropriations of the Senate; and

(B) the Committees on Veterans' Affairs and Appropriations of the House of Representatives.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated for the Department of Veterans Affairs for each of fiscal years 2009 through 2011 $1,000,000 to carry out this section.

(2) AVAILABILITY.—Amounts authorized to be appropriated by paragraph (1) shall remain available until expended.

TITLE VII—HOMELESS VETERANS MATTERS

SEC. 701. REPEAL OF AUTHORITY FOR ADJUSTMENTS TO PER DIEM PAYMENTS TO HOMELESS VETERANS SERVICE CENTERS FOR RECEIPT OF OTHER SOURCES OF INCOME.

Section 2012(a)(2) is amended—

(1) by striking subparagraphs (B) and (D);

(2) in subparagraph (A)—

(A) by striking ''The rate'' and inserting ''Except as provided in subparagraph (B), the rate'';

(B) by striking ''adjusted by the Secretary under subparagraph (B)''; and

(C) by designating the second sentence as subparagraph (B) and indenting the margin of such subparagraph, as so designated, two ems from the left margin; and

(3) in subparagraph (C), by striking ''to make the adjustment under subparagraph (B)''.

SEC. 702. EXPANSION AND EXTENSION OF AUTHORITY FOR PROGRAM OF REFERRAL AND COUNSELING SERVICES FOR AT-RISK VETERANS TRANSITIONING FROM CERTAIN INSTITUTIONS.

(a) PROGRAM AUTHORITY.—Subsection (a) of section 2023 is amended by striking ''a demonstration program for the purpose of determining the costs and benefits of providing'' and inserting ''a program of''.

(b) SCOPE OF PROGRAM.—Subsection (b) of such section is amended—

(1) by striking ''DEMONSTRATION'' in the subsection heading;

(2) by striking ''demonstration''; and

(3) by striking ''in at least six locations'' and inserting ''in at least 12 locations''.

(c) EXTENSION OF AUTHORITY.—Subsection (d) of such section is amended by striking ''shall cease'' and all that follows and inserting ''shall cease on September 30, 2012.''.

(d) CONFORMING AMENDMENTS.—

(1) Subsection (c)(1) of such section is amended by striking ''demonstration''.

(2) The heading of such section is amended to read as follows:

''§ 2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions''.

(3) Section 2022(f)(2)(C) of such title is amended by striking ''demonstration''.

(e) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 is amended by striking the item relating to section 2023 and inserting the following:

''2023. Referral and counseling services: veterans at risk of homelessness who are transitioning from certain institutions.''.

SEC. 703. AVAILABILITY OF GRANT FUNDS TO SERVICE CENTERS FOR PERSONNEL.

Section 2011 is amended by adding at the end the following new subsection:

''(i) AVAILABILITY OF GRANT FUNDS FOR SERVICE CENTER PERSONNEL.—A grant under this section for a service center for homeless veterans may be used to provide funding for staff as necessary in order for the center to meet the service availability requirements of subsection (g)(1).''.

SEC. 704. PERMANENT AUTHORITY FOR DOMICILIARY SERVICES FOR HOMELESS VETERANS AND ENHANCEMENT OF CAPACITY OF DOMICILIARY CARE PROGRAMS FOR FEMALE VETERANS.

Subsection (b) of section 2043 is amended to read as follows:

''(b) ENHANCEMENT OF CAPACITY OF DOMICILIARY CARE PROGRAMS FOR FEMALE VETERANS.—The Secretary shall take appropriate actions to ensure that the domiciliary care programs of the Department are adequate, with respect to capacity and with respect to safety, to meet the needs of veterans who are women.''.

SEC. 705. FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

(a) PURPOSE.—The purpose of this section is to facilitate the provision of supportive services for very low-income veteran families in permanent housing.

(b) FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—Subchapter V of chapter 20 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 2044. Financial assistance for supportive services for very low-income veteran families in permanent housing

''(a) DISTRIBUTION OF FINANCIAL ASSISTANCE.—(1) The Secretary shall provide financial assistance to eligible entities approved under this section to provide and coordinate the provision of supportive services described in subsection (b) for very low-income veteran families occupying permanent housing.

''(2) Financial assistance under this section shall consist of grants for each such family for which an approved eligible entity is providing or coordinating the provision of supportive services.

''(3)(A) The Secretary shall provide such grants to each eligible entity that is providing or coordinating the provision of supportive services.

''(B) The Secretary is authorized to establish intervals of payment for the administration of such grants and establish a maximum amount to be awarded, in accordance with the services being provided and their duration.

''(4) In providing financial assistance under paragraph (1), the Secretary shall give preference to entities providing or coordinating the provision of supportive services for very low-income veteran families who are transitioning from homelessness to permanent housing.

''(5) The Secretary shall ensure that, to the extent practicable, financial assistance under this subsection is equitably distributed across geographic regions, including rural communities and tribal lands.

''(6) Each entity receiving financial assistance under this section to provide supportive services to a very low-income veteran family shall notify that family that such services are being paid for, in whole or in part, by the Department.

''(7) The Secretary may require entities receiving financial assistance under this section to submit a report to the Secretary that describes the projects carried out with such financial assistance.

''(b) SUPPORTIVE SERVICES.—The supportive services referred to in subsection (a) are the following:

''(1) Services provided by an eligible entity or a subcontractor of an eligible entity that address the needs of very low-income veteran families occupying permanent housing, including—

''(A) outreach services;

''(B) case management services;

''(C) assistance in obtaining any benefits from the Department which the veteran may be eligible to receive, including, but not limited to, vocational and rehabilitation counseling, employment and training service, educational assistance, and health care services; and

''(D) assistance in obtaining and coordinating the provision of other public benefits provided in federal, State, or local agencies, or any organization defined in subsection (f), including—

''(i) health care services (including obtaining health insurance);

''(ii) daily living services;

''(iii) personal financial planning;

''(iv) transportation services;

''(v) income support services;

''(vi) fiduciary and representative payee services;

''(vii) legal services to assist the veteran family with issues that interfere with the family's ability to obtain or retain housing or supportive services;

''(viii) child care;

''(ix) housing counseling; and

''(x) other services necessary for maintaining independent living.

''(2) Services described in paragraph (1) that are delivered to very low-income veteran families who are homeless and who are scheduled to become residents of permanent housing within 90 days pending the location or development of housing suitable for permanent housing.

''(3) Services described in paragraph (1) for very low-income veteran families who have voluntarily chosen to seek other housing after a period of tenancy in permanent housing, that are provided, for a period of 90 days after such families exit permanent housing or until such families commence receipt of other housing services adequate to meet their current needs, but only to the extent that services under this paragraph are designed to support such families in their choice to transition into housing that is responsive to their individual needs and preferences.

''(c) APPLICATION FOR FINANCIAL ASSISTANCE.—(1) An eligible entity seeking financial assistance under subsection (a) shall submit to the Secretary an application therefor in such form, in such manner, and containing such commitments and information as the Secretary determines to be necessary to carry out this section.

''(2) Each application submitted by an eligible entity under paragraph (1) shall contain—

''(A) a description of the supportive services proposed to be provided by the eligible entity and the identified needs for those services;

''(B) a description of the types of very low-income veteran families proposed to be provided such services;

''(C) an estimate of the number of very low-income veteran families proposed to be provided such services;

''(D) evidence of the experience of the eligible entity in providing supportive services to very low-income veteran families; and

''(E) a description of the managerial capacity of the eligible entity—

''(i) to coordinate the provision of supportive services with the provision of permanent housing by the eligible entity or by other organizations;

''(ii) to assess continuously the needs of very low-income veteran families for supportive services;

''(iii) to coordinate the provision of supportive services with the services of the Department;

''(iv) to tailor supportive services to the needs of very low-income veteran families; and

''(v) to seek continuously new sources of assistance to ensure the long-term provision of supportive services to very low-income veteran families.

''(3) The Secretary shall establish criteria for the selection of eligible entities to be provided financial assistance under this section.

''(d) TECHNICAL ASSISTANCE.—(1) The Secretary shall provide training and technical assistance to participating eligible entities regarding the planning, development, and provision of supportive services to very low-income veteran families occupying permanent housing, through the Technical Assistance grants program in section 2064 of this title.

''(2) The Secretary may provide the training described in paragraph (1) directly or through grants or contracts with appropriate public or nonprofit private entities.

''(e) FUNDING.—(1) From amounts appropriated to the Department for Medical Services, there shall be available to carry out subsection (a), (b), and (c) amounts as follows:

''(A) $15,000,000 for fiscal year 2009.

''(B) $20,000,000 for fiscal year 2010.

''(C) $25,000,000 for fiscal year 2011.

''(2) Not more than $750,000 may be available under paragraph (1) in any fiscal year to provide technical assistance under subsection (d).

''(3) There is authorized to be appropriated $1,000,000 for each of the fiscal year 2008 through 2010 to carry out the provisions of subsection (d).

''(f) DEFINITIONS.—In this section:

''(1) The term 'consumer cooperative' has the meaning given such term in section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

''(2) The term 'eligible entity' means—

''(A) a private nonprofit organization; or

''(B) a consumer cooperative.

''(3) The term 'homeless' has the meaning given that term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

''(4) The term 'permanent housing' means community-based housing without a designated length of stay.

''(5) The term 'private nonprofit organization' means any of the following:

''(A) Any incorporated private institution or foundation—

''(i) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

''(ii) which has a governing board that is responsible for the operation of the supportive services provided under this section; and

''(iii) which is approved by the Secretary as to financial responsibility.

''(B) A for-profit limited partnership, the sole general partner of which is an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

''(C) A corporation wholly owned and controlled by an organization meeting the requirements of clauses (i), (ii), and (iii) of subparagraph (A).

''(D) A tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)).

''(6)(A) Subject to subparagraphs (B) and (C), the term 'very low-income veteran family' means a veteran family whose income does not exceed 50 percent of the median income for an area specified by the Secretary for purposes of this section, as determined by the Secretary in accordance with this paragraph.

''(B) The Secretary shall make appropriate adjustments to the income requirement under subparagraph (A) based on family size.

''(C) The Secretary may establish an income ceiling higher or lower than 50 percent of the median income for an area if the Secretary determines that such variations are necessary because the area has unusually high or low construction costs, fair market rents (as determined under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f)), or family incomes.

''(7) The term 'veteran family' includes a veteran who is a single person and a family in which the head of household or the spouse of the head of household is a veteran.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by inserting after the item relating to section 2043 the following new item:

''2044. Financial assistance for supportive services for very low-income veteran families in permanent housing.''.

(c) STUDY OF EFFECTIVENESS OF PERMANENT HOUSING PROGRAM.—

(1) IN GENERAL.—For fiscal years 2009 and 2010, the Secretary shall conduct a study of the effectiveness of the permanent housing program under section 2044 of title 38, United States Code, as added by subsection (b), in meeting the needs of very low-income veteran families, as that term is defined in that section.

(2) COMPARISON.—In the study required by paragraph (1), the Secretary shall compare the results of the program referred to in that subsection with other programs of the Department of Veterans Affairs dedicated to the delivery of housing and services to veterans.

(3) CRITERIA.—In making the comparison required in paragraph (2), the Secretary shall examine the following:

(A) The satisfaction of veterans targeted by the programs described in paragraph (2).

(B) The health status of such veterans.

(C) The housing provided such veterans under such programs.

(D) The degree to which such veterans are encouraged to productive activity by such programs.

(4) REPORT.—Not later than March 31, 2011, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the results of the study required by paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 3, 2008, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 3, 2008, at 2:30 p.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. 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 Tuesday, June 3, 2008, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, June 3, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that Kellen McAnulty, an intern in my office, be granted floor privileges for the remainder of this work period.

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

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that Sara Sanders of my staff be granted the privilege of the floor.

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

Mr. ISAKSON. Mr. President, I ask unanimous consent that Mr. Duncan Hill of my staff be allowed floor privileges for the remainder of this debate.

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

Mr. CORKER. Mr. President, I ask unanimous consent that Sophie Trads from my staff be granted floor privileges for the duration of my remarks.

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

Mrs. BOXER. Mr. President, I ask unanimous consent, on behalf of Senator CARDIN, that Michael Morgan, a fellow from his office, be granted the privilege of the floor for the duration of the debate on S. 3036.

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

STAR PRINT—S. 2307

Mrs. BOXER. Mr. President, I ask unanimous consent that S. 2307, the Global Change Research Improvement Act of 2007, be star printed with the changes at the desk.

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

VETERANS MENTAL HEALTH AND OTHER CARE IMPROVEMENTS ACT OF 2008

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 632, S. 2162.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2162) to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment, as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Mental Health Improvements Act of 2008''.

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

TITLE I—SUBSTANCE USE DISORDERS AND MENTAL HEALTH CARE

SEC. 101. FINDINGS ON SUBSTANCE USE DISORDERS AND MENTAL HEALTH.

Congress makes the following findings:

(1) More than 1,500,000 members of the Armed Forces have been deployed in Operation Iraqi Freedom and Operation Enduring Freedom. The 2005 Department of Defense Survey of Health Related Behaviors Among Active Duty Personnel reports that 23 percent of members of the Armed Forces on active duty acknowledge a significant problem with alcohol use, with similar rates of acknowledged problems with alcohol use among members of the National Guard.

(2) The effects of substance abuse are wide ranging, including significantly increased risk of suicide, exacerbation of mental and physical health disorders, breakdown of family support, and increased risk of unemployment and homelessness.

(3) While veterans suffering from mental health conditions, chronic physical illness, and polytrauma may be at increased risk for development of a substance use disorder, treatment for these veterans is complicated by the need to address adequately the physical and mental symptoms associated with these conditions through appropriate medical intervention.

(4) While the Veterans Health Administration has dramatically increased health services for veterans from 1996 through 2006, the number of veterans receiving specialized substance abuse treatment services decreased 18 percent during that time. No comparable decrease in the national rate of substance abuse has been observed during that time.

(5) While some facilities of the Veterans Health Administration provide exemplary substance use disorder treatment services, the availability of such treatment services throughout the health care system of the Veterans Health Administration is inconsistent.

(6) According to the Government Accountability Office, the Department of Veterans Affairs significantly reduced its substance use disorder treatment and rehabilitation services between 1996 and 2006, and has made little progress since in restoring these services to their pre-1996 levels.

SEC. 102. EXPANSION OF SUBSTANCE USE DISORDER TREATMENT SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall ensure the provision of such services and treatment to each veteran enrolled in the health care system of the Department of Veterans Affairs who is in need of services and treatments for a substance use disorder as follows:

(1) Short term motivational counseling services.

(2) Intensive outpatient or residential care services.

(3) Relapse prevention services.

(4) Ongoing aftercare and outpatient counseling services.

(5) Opiate substitution therapy services.

(6) Pharmacological treatments aimed at reducing craving for drugs and alcohol.

(7) Detoxification and stabilization services.

(8) Such other services as the Secretary considers appropriate.

(b) PROVISION OF SERVICES.—The services and treatments described in subsection (a) may be provided to a veteran described in such subsection—

(1) at Department of Veterans Affairs medical centers or clinics;

(2) by referral to other facilities of the Department that are accessible to such veteran; or

(3) by contract or fee-form service payments with community-based organizations for the provision of such services and treatments.

(c) ALTERNATIVES IN CASE OF SERVICES DENIED DUE TO CLINICAL NECESSITY.—If the Secretary denies the provision to a veteran of services or treatment for a substance use disorder due to clinical necessity, the Secretary shall provide the veteran such other services or treatments as are medically appropriate.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report setting forth, for each medical facility of the Department, the availability of the following:

(1) Medically supervised withdrawal management.

(2) Programs for treatment of alcohol and other substance use disorders that are—

(A) integrated with primary health care services; or

(B) available as specialty substance use disorder services.

(3) Specialty programs for the treatment of post-traumatic stress disorder.

(4) Programs to treat veterans who are diagnosed with both a substance use disorder and a mental health disorder.

SEC. 103. CARE FOR VETERANS WITH MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

(a) IN GENERAL.—If the Secretary of Veterans Affairs provides a veteran inpatient or outpatient care for a substance use disorder and a comorbid mental health disorder, the Secretary shall ensure that treatment for such disorders is provided concurrently—

(1) through a service provided by a clinician or health professional who has training and expertise in treatment of substance use disorders and mental health disorders;

(2) by separate substance use disorder and mental health disorder treatment services when there is appropriate coordination, collaboration, and care management between such treatment services; or

(3) by a team of clinicians with appropriate expertise.

(b) TEAM OF CLINICIANS WITH APPROPRIATE EXPERTISE DEFINED.—In this section, the term ''team of clinicians with appropriate expertise'' means a team consisting of the following:

(1) Clinicians and health professionals with expertise in treatment of substance use disorders

and mental health disorders who act in coordination and collaboration with each other.

(2) Such other professionals as the Secretary considers appropriate for the provision of treatment to veterans for substance use and mental health disorders.

SEC. 104. NATIONAL CENTERS OF EXCELLENCE ON POST-TRAUMATIC STRESS DISORDER AND SUBSTANCE USE DISORDERS.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330A. National centers of excellence on post-traumatic stress disorder and substance use disorders

''(a) ESTABLISHMENT OF CENTERS.—(1) The Secretary shall establish not less than six national centers of excellence on post-traumatic stress disorder and substance use disorders.

''(2) The purpose of the centers established under this section is to serve as Department facilities that provide comprehensive inpatient or residential treatment and recovery services for veterans diagnosed with both post-traumatic stress disorder and a substance use disorder.

''(b) LOCATION.—Each center established in accordance with subsection (a) shall be located at a medical center of the Department that—

''(1) provides specialized care for veterans with post-traumatic stress disorder and a substance use disorder; and

''(2) is geographically situated in an area with a high number of veterans that have been diagnosed with both post-traumatic stress disorder and substance use disorder.

''(c) PROCESS OF REFERRAL AND TRANSITION TO STEP DOWN DIAGNOSIS REHABILITATION TREATMENT PROGRAMS.—The Secretary shall establish a process to refer and aid the transition of veterans from the national centers of excellence on post-traumatic stress disorder and substance use disorders established pursuant to subsection (a) to programs that provide step down rehabilitation treatment for individuals with post-traumatic stress disorder and substance use disorders.

''(d) COLLABORATION WITH THE NATIONAL CENTER FOR POST-TRAUMATIC STRESS DISORDER.—The centers established under this section shall collaborate in the research of the National Center for Post-Traumatic Stress Disorder.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330 the following new item:

''7330A. National centers of excellence on post-traumatic stress disorder and substance use disorders.''.

SEC. 105. REPORT ON RESIDENTIAL MENTAL HEALTH CARE FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) REVIEWS.—The Secretary of Veterans Affairs shall, acting through the Office of Mental Health Services of the Department of Veterans Affairs—

(1) not later than six months after the date of the enactment of this Act, conduct a review of all residential mental health care facilities, including domiciliary facilities, of the Veterans Health Administration; and

(2) not later than two years after the date of the completion of the review required by paragraph (1), conduct a follow-up review of such facilities to evaluate any improvements made or problems remaining since the review under paragraph (1) was completed.

(b) REPORT.—Not later than 90 days after the completion of the review required by subsection (a)(1), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on such review. The report shall include the following:

(1) A description of the availability of care in residential mental health care facilities in each Veterans Integrated Service Network (VISN).

(2) An assessment of the supervision and support provided in the residential mental health care facilities of the Veterans Health Administration.

(3) The ratio of staff members at each residential mental health care facility to patients at such facility.

(4) An assessment of the appropriateness of rules and procedures for the prescription and administration of medications to patients in such residential mental health care facilities.

(5) A description of the protocols at each residential mental health care facility for handling missed appointments.

(6) Any recommendations the Secretary considers appropriate for improvements to such residential mental health care facilities and the care provided in such facilities.

SEC. 106. TRIBUTE TO JUSTIN BAILEY.

This title is enacted in tribute to Justin Bailey, who, after returning to the United States from service as a member of the Armed Forces in Operation Iraqi Freedom, died in a domiciliary facility of the Department of Veterans Affairs while receiving care for post-traumatic stress disorder and a substance use disorder.

TITLE II—MENTAL HEALTH ACCESSIBILITY ENHANCEMENTS

SEC. 201. PILOT PROGRAM ON PEER OUTREACH AND SUPPORT FOR VETERANS AND USE OF COMMUNITY MENTAL HEALTH CENTERS AND INDIAN HEALTH SERVICE FACILITIES.

(a) PILOT PROGRAM REQUIRED.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall carry out a pilot program to assess the feasability and advisability of providing to veterans of Operation Iraqi Freedom and Operation Enduring Freedom, and, in particular, veterans who served in such operations as a member of the National Guard or Reserve, the following:

(1) Peer outreach services.

(2) Peer support services provided by licensed providers of peer support services or veterans who have personal experience with mental illness.

(3) Readjustment counseling services described in section 1712A of title 38, United States Code.

(4) Other mental health services.

(b) PROVISION OF CERTAIN SERVICES.—In providing services described in paragraphs (3) and (4) of subsection (a) under the pilot program to veterans who reside in rural areas and do not have adequate access through the Department of Veterans Affairs to the services described in such paragraphs, the Secretary shall, acting through the Office of Mental Health Services and the Office of Rural Health, provide such services as follows:

(1) Through community mental health centers or other entities under contracts or other agreements for the provision of such services that are entered into for purposes of the pilot program.

(2) Through the Indian Health Service pursuant to a memorandum of understanding entered into by the Secretary of Veterans Affairs and the Secretary of Health and Human Services for purposes of the pilot program.

(c) DURATION.—The pilot program shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(d) PROGRAM LOCATIONS.—

(1) IN GENERAL.—The pilot program shall be carried out within areas selected by the Secretary for the purpose of the pilot program in at least two Veterans Integrated Service Networks (VISN).

(2) RURAL GEOGRAPHIC LOCATIONS.—The locations selected shall be in rural geographic locations that, as determined by the Secretary, lack access to comprehensive mental health services through the Department of Veterans Affairs.

(3) QUALIFIED PROVIDERS.—In selecting locations for the pilot program, the Secretary shall select locations in which an adequate number of licensed mental health care providers with credentials equivalent to those of Department mental health care providers are available in Indian Health Service facilities, community mental health centers, and other entities are available for participation in the pilot program.

(e) PARTICIPATION IN PROGRAM.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall—

(1) provide the services described in paragraphs (3) and (4) of subsection (a) to eligible veterans, including, to the extent practicable, telehealth services that link the center or facility with Department of Veterans Affairs clinicians;

(2) use the clinical practice guidelines of the Veterans Health Administration or the Department of Defense in the provision of such services; and

(3) meet such other requirements as the Secretary shall require.

(f) COMPLIANCE WITH DEPARTMENT PROTOCOLS.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall comply with—

(1) applicable protocols of the Department before incurring any liability on behalf of the Department for the provision of services as part of the pilot program; and

(2) access and quality standards of the Department relevant to the provision of services as part of the pilot program.

(g) PROVISION OF CLINICAL INFORMATION.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall, in a timely fashion, provide the Secretary with such clinical information on each veteran for whom such health center or facility provides mental health services under the pilot program as the Secretary shall require.

(h) TRAINING.—

(1) TRAINING OF VETERANS.—As part of the pilot program, the Secretary shall carry out a program of training for veterans described in subsection (a) to provide the services described in paragraphs (1) and (2) of such subsection.

(2) TRAINING OF CLINICIANS.—

(A) IN GENERAL.—The Secretary shall conduct a training program for clinicians of community mental health centers, Indian Health Service facilities, or other entities participating in the pilot program under subsection (b) to ensure that such clinicians can provide the services described in paragraphs (3) and (4) of subsection (a) in a manner that accounts for factors that are unique to the experiences of veterans who served on active duty in Operation Iraqi Freedom or Operation Enduring Freedom (including their combat and military training experiences).

(B) PARTICIPATION IN TRAINING.—Personnel of each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall participate in the training program conducted pursuant to subparagraph (A).

(i) ANNUAL REPORTS.—Each community mental health center, facility of the Indian Health Service, or other entity participating in the pilot program under subsection (b) shall submit to the Secretary on an annual basis a report containing, with respect to the provision of services under subsection (b) and for the last full calendar year ending before the submission of such report—

(1) the number of—

(A) veterans served; and

(B) courses of treatment provided; and

(2) demographic information for such services, diagnoses, and courses of treatment.

(j) PROGRAM EVALUATION.—

(1) IN GENERAL.—The Secretary shall, through Department of Veterans Affairs Mental Health Services investigators and in collaboration with

relevant program offices of the Department, design and implement a strategy for evaluating the pilot program.

(2) ELEMENTS.—The strategy implemented under paragraph (1) shall assess the impact that contracting with community mental health centers, the Indian Health Service, and other entities participating in the pilot program under subsection (b) has on the following:

(A) Access to mental health care by veterans in need of such care.

(B) The use of telehealth services by veterans for mental health care needs.

(C) The quality of mental health care and substance use disorder treatment services provided to veterans in need of such care and services.

(D) The coordination of mental health care and other medical services provided to veterans.

(k) DEFINITIONS.—In this section:

(1) The term ''community mental health center'' has the meaning given such term in section 410.2 of title 42, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

(2) The term ''eligible veteran'' means a veteran in need of mental health services who—

(A) is enrolled in the Department of Veterans Affairs health care system; and

(B) has received a referral from a health professional of the Veterans Health Administration to a community mental health center, a facility of the Indian Health Service, or other entity for purposes of the pilot program.

(3) The term ''Indian Health Service'' means the organization established by section 601(a) of the Indian Health Care Improvement Act (25 U.S.C. 1661(a)).

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

TITLE III—RESEARCH

SEC. 301. RESEARCH PROGRAM ON COMORBID POST-TRAUMATIC STRESS DISORDER AND SUBSTANCE USE DISORDERS.

(a) PROGRAM REQUIRED.—The Secretary of Veterans Affairs shall carry out a program of research into comorbid post-traumatic stress disorder (PTSD) and substance use disorder.

(b) DISCHARGE THROUGH NATIONAL CENTER FOR POSTTRAUMATIC STRESS DISORDER.—The research program required by subsection (a) shall be carried out by the National Center for Posttraumatic Stress Disorder. In carrying out the program, the Center shall—

(1) develop protocols and goals with respect to research under the program; and

(2) coordinate research, data collection, and data dissemination under the program.

(c) RESEARCH.—The program of research required by subsection (a) shall address the following:

(1) Comorbid post-traumatic stress disorder and substance use disorder.

(2) The systematic integration of treatment for post-traumatic stress disorder with treatment for substance use disorder.

(3) The development of protocols to evaluate care of veterans with comorbid post-traumatic stress disorder and substance use disorder and to facilitate cumulative clinical progress of such veterans over time.

(d) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Veterans Affairs for each of fiscal years 2008 through 2011, $2,000,000 to carry out this section.

(2) AVAILABILITY.—Amounts authorized to be appropriated by paragraph (1) shall be made available to the National Center on Posttraumatic Stress Disorder for the purpose specified in that paragraph.

(3) SUPPLEMENT NOT SUPPLANT.—Any amount made available to the National Center on Posttraumatic Stress Disorder for a fiscal year under paragraph (2) is in addition to any other amounts made available to the National Center on Posttraumatic Stress Disorder for such year under any other provision of law.

SEC. 302. EXTENSION OF AUTHORIZATION FOR SPECIAL COMMITTEE ON POST-TRAUMATIC STRESS DISORDER.

Section 110(e)(2) of the Veterans' Health Care Act of 1984 (38 U.S.C. 1712A note; Public Law 98–528) is amended by striking ''through 2008'' and inserting ''through 2012''.

TITLE IV—ASSISTANCE FOR FAMILIES OF VETERANS

SEC. 401. CLARIFICATION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE MENTAL HEALTH SERVICES TO FAMILIES OF VETERANS.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended—

(1) in section 1701(5)(B)—

(A) by inserting ''marriage and family counseling,'' after ''professional counseling,''; and

(B) by striking ''as may be essential to'' and inserting ''as the Secretary considers appropriate for''; and

(2) in subsections (a) and (b) of section 1782, by inserting ''marriage and family counseling,'' after ''professional counseling,''.

(b) LOCATION.—Paragraph (5) of section 1701 of title 38, United States Code, shall not be construed to prevent the Secretary of Veterans Affairs from providing services described in subparagraph (B) of such paragraph to individuals described in such subparagraph in centers under section 1712A of such title (commonly referred to as ''Vet Centers''), Department of Veterans Affairs medical centers, community-based outpatient clinics, or in such other facilities of the Department of Veterans Affairs as the Secretary considers necessary.

SEC. 402. PILOT PROGRAM ON PROVISION OF READJUSTMENT AND TRANSITION ASSISTANCE TO VETERANS AND THEIR FAMILIES IN COOPERATION WITH VET CENTERS.

(a) PILOT PROGRAM.—The Secretary of Veterans Affairs shall carry out, through a non-Department of Veterans Affairs entity, a pilot program to assess the feasability and advisability of providing readjustment and transition assistance described in subsection (b) to veterans and their families in cooperation with centers under section 1712A of title 38, United States Code (commonly referred to as ''Vet Centers'').

(b) READJUSTMENT AND TRANSITION ASSISTANCE.—Readjustment and transition assistance described in this subsection is assistance as follows:

(1) Readjustment and transition assistance that is preemptive, proactive, and principle-centered.

(2) Assistance and training for veterans and their families in coping with the challenges associated with making the transition from military to civilian life.

(c) NON-DEPARTMENT OF VETERANS AFFAIRS ENTITY.—

(1) IN GENERAL.—The Secretary shall carry out the pilot program through any for-profit or non-profit organization selected by the Secretary for purposes of the pilot program that has demonstrated expertise and experience in the provision of assistance and training described in subsection (b).

(2) CONTRACT OR AGREEMENT.—The Secretary shall carry out the pilot program through a non-Department entity described in paragraph (1) pursuant to a contract or other agreement entered into by the Secretary and the entity for purposes of the pilot program.

(d) DURATION OF PILOT PROGRAM.—The pilot program shall be carried out during the three-year period beginning on the date of the enactment of this Act, and may be carried out for additional one-year periods thereafter.

(e) LOCATION OF PILOT PROGRAM.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall provide assistance under the pilot program in cooperation with 10 centers described in subsection (a) designated by the Secretary for purposes of the pilot program.

(2) DESIGNATIONS.—In designating centers described in subsection (a) for purposes of the pilot program, the Secretary shall designate centers so as to provide a balanced geographical representation of such centers throughout the United States, including the District of Columbia, the Commonwealth of Puerto Rico, tribal lands, and other territories and possessions of the United States.

(f) PARTICIPATION OF CENTERS.—A center described in subsection (a) that is designated under subsection (e) for participation in the pilot program shall participate in the pilot program by promoting awareness of the assistance and training available to veterans and their families through—

(1) the facilities and other resources of such center;

(2) the non-Department of Veterans Affairs entity selected pursuant to subsection (c); and

(3) other appropriate mechanisms.

(g) ADDITIONAL SUPPORT.—In carrying out the pilot program, the Secretary of Veterans Affairs may enter into contracts or other agreements, in addition to the contract or agreement described in subsection (c), with such other non-Department of Veterans Affairs entities meeting the requirements of subsection (c) as the Secretary considers appropriate for purposes of the pilot program.

(h) REPORT ON PILOT PROGRAM.—

(1) REPORT REQUIRED.—Not later than six months after the date of the conclusion of the pilot program, the Secretary shall submit to the congressional veterans affairs committees a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include the following:

(A) A description of the activities under the pilot program as of the date of such report, including the number of veterans and families provided assistance under the pilot program and the scope and nature of the assistance so provided.

(B) A current assessment of the effectiveness of the pilot program.

(C) Any recommendations that the Secretary considers appropriate for the extension or expansion of the pilot program.

(3) CONGRESSIONAL VETERANS AFFAIRS COMMITTEES DEFINED.—In this subsection, the term ''congressional veterans affairs committees'' means—

(A) the Committees on Veterans' Affairs and Appropriations of the Senate; and

(B) the Committees on Veterans' Affairs and Appropriations of the House of Representatives.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated for the Department of Veterans Affairs for each of fiscal years 2008 through 2010 $1,000,000 to carry out this section.

(2) AVAILABILITY.—Amounts authorized to be appropriated by paragraph (1) shall remain available until expended.

Mr. AKAKA. Mr. President, I am pleased to express my strong support for S. 2162, the Veterans' Mental Health and Other Care Improvements Act of 2008, as amended. This bill includes provisions on mental health care, suicide prevention, care for substance use disorders, prevention of homelessness, pain and epilepsy care, and other health care matters. This comprehensive legislation addresses many critical issues facing our Nation's veterans.

Returning home from battle does not necessarily bring an end to conflict. Servicemembers return home, but the war often follows them in their hearts and minds. Their invisible wounds are

complicated and wide-ranging, and we must provide all possible assistance. I am working with VA Secretary James Peake to ensure that VA is forthright about the numbers of suicides and attempted suicides among veterans. Solid and reliable information is critical to our understanding of the issues. Prevention of suicide is a vitally important mission.

A growing number of veterans are in need of mental health care. VA's Special Committee on Post-Traumatic Stress Disorder advised in its 2006 formal report that virtually all returning servicemembers face readjustment issues. An assessment of mental health problems among returning soldiers, recently published in the Journal of the American Medical Association in November, 2007, found that 42.4 percent of National Guard and reservists screened by the Department of Defense required mental health treatment.

Additionally, a March 2007 study published in the Archives of Internal Medicine reported that more than one-third of war veterans who have served in either Iraq or Afghanistan suffer from various mental ailments, including post-traumatic stress disorder, anxiety, depression, substance use disorder and other problems. A RAND study released in April 2008, emphasized the high risks of PTSD and depression, especially among servicemembers sent on multiple deployments, and among National Guard and reservists.

Further, the RAND study found that the stigma associated with mental health care continues to prevent servicemembers and veterans from accessing care. VA and the Department of Defense must redouble their efforts to ensure that receiving mental health care does not harm one's career. No individual is immune to the risk of mental health problems, and all must have the opportunity to receive care.

On April 25, 2007, the Committee on Veterans' Affairs held a hearing on veterans' mental health concerns, and on VA's response. We heard heart-wrenching testimony from the witnesses.

The provisions of this bill are a direct outgrowth of that hearing and the testimony given by those who have suffered with mental health issues, and by their family members. Earlier versions of the provisions included in this bill were also discussed at a legislative hearing on October 24, 2007.

This bill represents a bi-partisan approach, and is cosponsored by Senators BURR, ROCKEFELLER, MIKULSKI, BINGAMAN, ENSIGN, SMITH, COLLINS, CLINTON, DOLE, and SESSIONS. It is a tribute to Justin Bailey, a veteran of Operation Iraqi Freedom, who died in a VA domiciliary facility while receiving care for PTSD and a substance use disorder. This was a tragedy that will live on with Justin's parents, who have so courageously advocated for improvements to VA mental health care.

Provisions included in this legislative package stem from bills which have all been reported favorably by the Senate Committee on Veterans' Affairs, including: S. 1233 as reported on August 29, 2007; and S. 2004, S. 2142, S. 2160, and S. 2162, as ordered reported on November 14, 2007.

I will briefly outline other provisions in S. 2162, as amended.

As I mentioned, the legislation would make sweeping changes to VA mental health treatment and research. Most notably, it would ensure a minimum level of substance use disorder care for veterans in need. It would also require VA to improve treatment of veterans with multiple disorders, such as PTSD and substance use disorder. To ascertain if VA's residential mental health facilities are appropriately staffed, this bill would mandate a review of such facilities. It would also create a vital research program on PTSD and Substance Use Disorders, in cooperation with, and building on the work of, the National Center for PTSD.

Veterans with physical and mental wounds often turn to drugs and alcohol to ease their pain. Experts believe that stress is the primary cause of drug abuse, and of relapse to drug abuse. Research by Sinha, Fuse, Aubin and O'Malley in Psychopharmacology, 2000, and by Brewer et al. in Addiction, 1998, has found that patients with psychological trauma, including PTSD, are often susceptible to alcohol and drug abuse. Similarly, according to the National Institute on Drug Abuse, patients subjected to chronic stress, as experienced by those with PTSD, are prone to drug use. VA has long dealt with substance abuse issues, but there is much more than can be done. This legislation would provide a number of solutions to enhance substance use disorder treatment.

The inclusion of families in mental health treatment is vital. To this end, the bill would fully authorize VA to provide mental health services to families of veterans and would set up a program to help veterans and families transition to civilian life.

Beneficiary travel reimbursements are essential to improving access to VA health care for veterans in rural areas. This legislation would increase the beneficiary travel mileage reimbursement rate from 11 cents per mile to 28.5 cents per mile, and permanently set the deductible to the 2007 amount of $3 each way.

It is important that veterans who rely on VA for their health care have access to emergency care. This bill would make corrections to the procedure used by VA to reimburse community hospitals for emergency care provided to eligible veterans so as to ensure that both veterans and community hospitals are not inappropriately burdened by emergency care costs.

Too often, veterans suffer from lack of care merely because they are unaware of the services available to them. This legislation would enhance outreach and accessibility by creating a pilot program on the use of peers to help reach out to veterans. It would also encourage improved accessibility for mental health care in rural areas.

The legislation also addresses homelessness, which is far too prevalent in the veteran population. The bill would create targeted programs to provide assistance for low-income veteran families. It would also allow homeless service providers to receive VA funds without offsetting other sources of income and require that facilities which furnish services to homeless veterans are able to meet the needs of women veterans.

The committee heard testimony that epilepsy is often associated with traumatic brain injury, the injury that many are calling the signature wound of the current conflicts. This suggests a strong need to improve VA's effectiveness in dealing with epilepsy. The pending legislation would establish six VA epilepsy centers of excellence, which will focus on research, education, and clinical care activities in the diagnosis and treatment of epilepsy. These centers would restore VA to the position of leadership it once held in epilepsy research and treatment.

The medical community has made impressive advances in pain care and management, but VA has lagged behind in implementing a standardized policy for dealing with pain. The bill includes a provision that would establish a pain care program at all inpatient facilities, to prevent long-term chronic pain disability. It also provides for education for VA's health care workers on pain assessment and treatment, and would require VA to expand research on pain care.

I urge all of my colleagues to support S. 2162, as amended. It has the potential to bring relief and support to tens of thousands of veterans and their families across the country.

Mrs. BOXER. Mr. President, I ask unanimous consent that the committee substitute amendment be withdrawn, the Akaka-Burr substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 4824) was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The bill (S. 2162), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

PROVIDING FOR CERTAIN FEDERAL EMPLOYEE BENEFITS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 2967 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.

Mrs. BOXER. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motions to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The bill (S. 2967) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term ''contractor'' means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term ''covered individual'' means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term ''food services contract'' means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term ''transfer date'' means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions similar to regulations prescribed under section 6308 of title 5, United States Code, to implement this subparagraph.

(B) ACCRUAL RATE.—During any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, that individual shall continue to accrue annual and sick leave at rates not less than the rates applicable to that individual on the day before the transfer date.

(C) TECHNICAL AND CONFORMING AMENDMENT.—The second and third provisos under the subheading ''SENATE OFFICE BUILDINGS'' under the heading ''CAPITOL BUILDINGS AND GROUNDS'' under the heading ''ARCHITECT OF THE CAPITOL'' in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048) are repealed.

(5) TRANSIT SUBSIDY.—For purposes of any benefit under section 7905 of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(6) EMPLOYEE PAY; GOVERNMENT CONTRIBUTIONS; TRANSIT SUBSIDY PAYMENTS; AND OTHER BENEFITS.—

(A) PAYMENT BY CONTRACTOR.—A contractor, or any successor to the contractor, shall pay—

(i) the pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service;

(ii) Government contributions for the benefits of a covered individual under paragraph (2) or (3);

(iii) any transit subsidy for a covered individual under paragraph (5); and

(iv) any payment for any other benefit for a covered individual in accordance with a food services contract.

(B) REIMBURSEMENTS AND PAYMENTS BY ARCHITECT OF THE CAPITOL.—From appropriations made available to the Architect of the Capitol under the heading ''SENATE OFFICE BUILDINGS'' under the heading ''ARCHITECT OF THE CAPITOL'', the Architect of the Capitol shall—

(i) reimburse a contractor, or any successor contractor, for that portion of any payment under subparagraph (A) which the Architect of the Capitol agreed to pay under a food services contract; and

(ii) pay a contractor, or any successor contractor, for any administrative fee (or portion of an administrative fee) which the Architect of the Capitol agreed to pay under a food services contract.

(7) REGULATIONS.—

(A) OFFICE OF PERSONNEL MANAGEMENT.—

(i) IN GENERAL.—After consultation with the Architect of the Capitol, the Director of the Office of Personnel Management shall prescribe regulations to provide for the continuity of benefits under paragraphs (2) and (3).

(ii) CONTENTS.—Regulations under this subparagraph shall—

(I) include regulations relating to employee deductions and employee and employer contributions and deposits in the Civil Service Retirement and Disability Fund, the Employees' Life Insurance Fund, and the Employees Health Benefits Fund; and

(II) provide for the Architect of the Capitol to perform employer administrative functions necessary to ensure administration of continued coverage of benefits under paragraphs (2) and (3), including receipt and transmission of the deductions, contributions, and deposits described under subclause (I), the collection and transmission of such information as necessary, and the performance of other administrative functions as may be required.

(B) THRIFT SAVINGS PLAN BENEFITS.—After consultation with the Architect of the Capitol, the Executive Director appointed by the Federal Retirement Thrift Investment Board under section 8474(a) of title 5, United States Code, shall prescribe regulations to provide

for the continuity of benefits under paragraph (2) of this subsection relating to subchapter III of chapter 84 of that title. Regulations under this subparagraph shall include regulations relating to employee deductions and employee and employer contributions and deposits in the Thrift Savings Fund.

(d) COVERED INDIVIDUALS NOT ENTITLED TO SEVERANCE PAY.—

(1) IN GENERAL.—Except as provided under paragraph (2), a covered individual shall not be entitled to severance pay under section 5595 of title 5, United States Code, by reason of—

(A) separation from service with the Architect of the Capitol and becoming an employee of a contractor under a food services contract; or

(B) termination of employment with a contractor, or successor to a contractor.

(2) SEPARATION DURING 90-DAY PERIOD.—

(A) IN GENERAL.—

(i) COVERED INDIVIDUALS.—Except as provided under clause (ii), a covered individual shall be entitled to severance pay under section 5595 of title 5, United States Code, if during the 90-day period following the transfer date the employment of that individual with a contractor is terminated as provided under a food services contract.

(ii) EXCEPTION.—Clause (i) shall not apply to a covered individual who is terminated for cause.

(B) TREATMENT.—For purposes of section 5595 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under subparagraph (A) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under subparagraph (A) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(e) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) SUBMISSION OF PLAN.—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall submit a plan under section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) to the applicable committees as provided under that section.

(2) PLAN.—

(A) IN GENERAL.—Notwithstanding section 210(e) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q(e)), the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 210 of that Act; and

(ii) offer such a payment to any such employee who becomes a covered individual, if that individual accepts the offer during the 90-day period following the transfer date.

(B) TREATMENT OF COVERED INDIVIDUALS.—For purposes of the plan under this subsection—

(i) any period of continuous service performed by a covered individual as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(f) EARLY RETIREMENT TREATMENT FOR CERTAIN SEPARATED EMPLOYEES.—

(1) IN GENERAL.—This subsection applies to—

(A) an employee of the Senate Restaurants of the Office of the Architect of the Capitol who—

(i) voluntarily separates from service on or after the date of enactment of this Act, but prior to the day before the transfer date; and

(ii) on such date of separation—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age; and

(B) except as provided under paragraph (2), a covered individual—

(i) whose employment with a contractor is terminated as provided under a food services contract during the 90-day period following the transfer date; and

(ii) on the date of such termination—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age.

(2) EXCEPTION.—Paragraph (1)(B) shall not apply to a covered individual who is terminated for cause.

(3) TREATMENT.—

(A) ANNUITY.—Notwithstanding any provision of chapter 83 or 84 of title 5, United States Code, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5, United States Code.

(B) SEPARATION DURING 90-DAY PERIOD.—For purposes of chapter 83 or 84 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under paragraphs (1)(B) and (2) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under paragraphs (1)(B) and (2) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(g) CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—Section 101(5) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(5)) is amended by striking '', the Botanic Garden, or the Senate Restaurant'' and inserting ''or the Botanic Garden''.

(2) DISABILITIES.—Section 210(a)(7) of the Congressional Accountability Act of 1995 (2 U.S.C. 1331(a)(7)) is amended by striking ''the Senate Restaurants and the Botanic Garden'' and inserting ''the Botanic Garden''.

(3) CONTINUING APPLICATION TO CERTAIN ACTS AND OMISSIONS.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) a covered individual shall be treated as an employee of the Architect of the Capitol with respect to any act or omission which occurred before the transfer date.

(h) DEPOSIT OF COMMISSIONS.—

(1) SENATE RESTAURANTS FOOD SERVICES CONTRACT.—Any commissions paid by a contractor under a food services contract shall be deposited in the miscellaneous items account within the contingent fund of the Senate.

(2) USE OF FUNDS.—Any funds deposited under paragraph (1) shall be available for expenditure in the same manner as funds appropriated into that account.

(i) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act and apply to the remainder of the fiscal year in which enacted and each fiscal year thereafter.

REGARDING STATEMENTS MADE BY THE GOVERNMENT OF THE RUSSIAN FEDERATION THAT UNDERMINE THE REPUBLIC OF GEORGIA

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 741, S. Res. 550.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 550) expressing the sense of the Senate regarding provocative and dangerous statements made by the government of the Russian Federation that undermine the territorial integrity of the Republic of Georgia.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. BOXER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 550) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 550

Whereas, since 1993, the territorial integrity of the Republic of Georgia has been reaffirmed by the international community and 32 United Nations Security Council resolutions;

Whereas the Government of the Republic of Georgia has pursued with good faith the peaceful resolution of territorial conflicts in the regions of Abkhazia and South Ossetia since the end of hostilities in 1993;

Whereas President of Georgia Mikheil Saakashvili has offered a clear plan for resolving the conflict in Abkhazia and securing legitimate interests of the Abkhaz and South Ossetian people within a unified Georgia;

Whereas, for several years, the Government of Russia has engaged in an ongoing process of usurping the sovereignty of Georgia in Abkhazia and South Ossetia by awarding subsidies, the right to vote in elections in Russia, and Russian passports to people living in those regions;

Whereas the announcement of the Government of the Russian Federation that it will establish ''official ties'' with the breakaway regions of Abkhazia and South Ossetia and further involve itself in aspects of their government appears to be a thinly veiled attempt at annexation;

Whereas the statements and counter-productive behavior of the Government of the Russian Federation in these regions has undermined the peace and security of those regions, the Republic of Georgia, and the region as a whole; and

Whereas the consistent effort to undermine the sovereignty of a neighbor is incompatible with the role of the Russian Federation as one of the world's leading powers and is inconsistent with the commitments to international peacekeeping made by the Government of the Russian Federation: Now, therefore, be it

Resolved, That the Senate—

(1) condemns recent decisions made by the Government of the Russian Federation to establish ''official ties'' with the breakaway

regions of Abkhazia and South Ossetia, a process that further impedes reconciliation between those regions and the Government of Georgia and violates the sovereignty of the Republic of Georgia and the commitments of the Government of the Russian Federation to international peacekeeping;

(2) calls upon the Government of the Russian Federation to disavow this policy, which gives the appearance of being motivated by an appetite for annexation;

(3) affirms that the restoration of the territorial integrity of the Republic of Georgia is in the interest of all who seek peace and stability in the region;

(4) urges all parties to the conflicts in the Republic of Georgia and governments around the world to eschew rhetoric that escalates tensions and undermines efforts to negotiate a settlement to the conflicts; and

(5) commends the Government of Georgia for acting with restraint in the face of serious provocation.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 309 which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 309) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. BOXER. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 309) was agreed to.

DESIGNATING JUNE 6, 2008, AS ''NATIONAL HUNTINGTON'S DISEASE AWARENESS DAY''

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 581, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 581) designating June 6, 2008 as ''National Huntington's Disease Awareness Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mrs. BOXER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 581) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 581

Whereas Huntington's Disease is a progressive degenerative neurological disease that causes total physical and mental deterioration over a 12 to 15 year period;

Whereas each child of a parent with Huntington's Disease has a 50 percent chance of inheriting the Huntington's Disease gene;

Whereas Huntington's Disease typically begins in mid-life, between the ages of 30 and 45, though onset may occur as early as the age of 2;

Whereas children who develop the juvenile form of the disease rarely live to adulthood;

Whereas the average lifespan after onset of Huntington's Disease is 10 to 20 years, and the younger the age of onset, the more rapid the progression of the disease;

Whereas Huntington's Disease affects 30,000 patients and 200,000 genetically ''at risk'' individuals in the United States;

Whereas, since the discovery of the gene that causes Huntington's Disease in 1993, the pace of Huntington's Disease research has accelerated;

Whereas, although no effective treatment or cure currently exists, scientists and researchers are hopeful that breakthroughs will be forthcoming;

Whereas researchers across the Nation are conducting important research projects involving Huntington's Disease; and

Whereas the Senate is an institution that can raise awareness in the general public and the medical community of Huntington's Disease: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 6, 2008, as ''National Huntington's Disease Awareness Day'';

(2) recognizes that all people of the United States should become more informed and aware of Huntington's Disease; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Huntington's Disease Society of America.

ORDERS FOR WEDNESDAY, JUNE 4, 2008

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Wednesday, June 4; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business until 11:30 a.m., 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 majority controlling the first 30 minutes, and the Republicans controlling the second 30 minutes; and that, at 11:30 a.m., the Senate consider the budget resolution conference report as under the previous order. I further ask unanimous consent that the time during any adjournment or morning business count against cloture.

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

PROGRAM

Mrs. BOXER. Mr. President, under a previous order, the Senate will proceed to a vote on adoption of the budget conference report at approximately 11:45 a.m. tomorrow morning. Following the vote on adoption of the budget conference report, I expect the Senate to begin consideration of the climate security legislation.

ORDER FOR ADJOURNMENT

Mrs. BOXER. 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, following the remarks of Senators DOLE, INHOFE, and ENZI.

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

Mrs. BOXER. I thank the Chair.

The PRESIDING OFFICER. The senior Senator from North Carolina is recognized.

CLIMATE SECURITY ACT

Mrs. DOLE. Mr. President, nearly a year ago, I began working on the Climate Security Act with two Senators, both of whom I also serve with on the Armed Services Committee. As members of that committee, we have worked together to write and pass defense authorization bills to strengthen our national security and support our military. Senators JOE LIEBERMAN and JOHN WARNER have moved the issue of climate security forward in the American dialogue, and I join them in that effort.

I understand this bill is viewed by most as an environmental bill—which it is—but it is also essential to our national security. Just a few weeks ago, Secretary of Defense Robert Gates talked about the threats our Nation faces. He said, ''Rather than one, single entity—the Soviet Union—and one, single animating ideology—communism—we are instead facing challenges from multiple sources: a new, more malignant form of terrorism inspired by jihadist extremism, ethnic strife, disease, poverty, climate change, failed and failing states, resurgent powers, and so on.'' Of the threats Secretary Gates articulated, we know the predicted negative ramifications of climate change could initiate a chain-reaction of events such as severe drought or floods that diminish food supply and displace millions of people.

Additionally, last year 11 retired three-star and four-star admirals and generals issued a report, National Security and the Threat of Climate Change. They had four primary findings: (1) Projected climate change poses a serious threat to America's national security; (2) Climate change acts as a threat multiplier for instability in some of the most volatile regions of the world; (3) Projected climate change will add to tensions even in stable regions of the world; and (4) Climate

change, national security and energy dependence are a related set of global challenges. At the release of this report, retired General and former Army Chief of Staff Gordon Sullivan said, ''People are saying they want to be perfectly convinced about climate science projections, but speaking as a soldier, we never have 100 percent certainty. If you wait until you have 100 percent certainty, something bad is going to happen on the battlefield.''

Adding to this concern, a joint report issued by the Center for Strategic and International Studies and Center for a New American Security, has made clear that we are now in the age of consequences regarding the foreign policy and national security implications of global climate change. The consequences range from expected to catastrophic, and a key finding is that the United States must come to terms with climate change. According to the report, we can expect strengthened geopolitical influence by fuel exporting countries, and a correlating weakened strategic and economic influence by importers of all fuels. We can expect many more consequences, but in short, the intersection of climate change and the security of nations will become a defining reality in the years ahead. We cannot ignore the costs of inaction and we cannot leave these massive security concerns to the next generation.

This is not a perfect bill, and a perfect bill likely does not exist. However, the fundamental approach of this bill—providing a market driven system—is the right way to address climate change.

I am disappointed that this bill fails to consider the need for more nuclear energy in the United States. Patrick Moore, co-founder of Greenpeace made the need for nuclear energy clear when he wrote, ''. . . my views have changed, and the rest of the environmental movement needs to update its views, too, because nuclear energy may just be the energy source that can save our planet from another possible disaster: catastrophic climate change.'' In order to meet all of the projected models for reducing our greenhouse gas emissions, we need a nuclear renaissance in this country, and this bill must be the vehicle by which we advance that renaissance. Nuclear energy, after decades of dormancy, must be given an opportunity to be an affordable and reliable energy choice for consumers. Wind and solar will play a role in our low-carbon energy needs, but as of now they are not reliable, and cannot provide the base load electricity generation that is needed, and that which nuclear energy, can provide. Nuclear is safe, reliable, low-cost energy and those who oppose it will find themselves in the precarious position of being unable to seriously confront climate change.

We have a solution to low-cost electricity generation in nuclear energy, and we also have a solution to high fuel costs—the answer is more domestic exploration here at home. Americans are clearly aware that our dependence on foreign oil is far too dangerous and much too costly. A significant amount of our oil comes from the Middle East, Russia and Venezuela—three parts of the world that do not have U.S. interests in mind in their oil production. As former Director of Central Intelligence James Woolsey noted, ''we're paying for both sides in the war on terror.'' At approximately $130 per barrel of oil, we are enriching, by billions of dollars, the likes of Iran's Ahmadinejad, Russia's Putin, and Venezuela's Chavez. They are flush with oil cash and are leveraging their influence against ours with Beijing and New Delhi in a geopolitical chess match.

We must shift away from our dependence on foreign oil, and this bill, probably more than any other the Congress has ever considered, provides the resources and framework to do just that. Under this bill, the Natural Resources Defense Council estimates oil imports to drop to 35 percent of total U.S. oil supply by 2030, compared to the approximately 60 percent of foreign oil imports we rely on today. In fact, by 2025 oil imports are expected to drop to around 6 million barrels per day, the lowest point since 1986. That is a savings of more than 8 million barrels a day—more oil than the United States currently imports from OPEC. We achieve these reductions through an overall reduction in demand, and increased domestic oil production due to increased use of Enhanced Oil Recovery—a process by which we sequester carbon from power plants to derive more oil from the ground. What all this means for families is that under this bill, the average household will pay 13 to 17 percent less for transportation fuels in 2020 than they did in 2007. This is a savings of up to $530 a year at the pump for Americans.

The long-term outlook is positive for weaning ourselves off of foreign oil, but there is a major flaw in this bill in that it does not address our near-term energy needs for more domestic oil and natural gas exploration and production. Increased oil and natural gas access here at home is essential to lowering the high fuel costs consumers are feeling today and for keeping them low in the early years of this bill. Lower fuel costs will get our economy back on track and increase our energy security. Unfortunately, efforts to allow that access to our American resources have been blocked for years by our friends across the aisle. The high cost of fuel is unsustainable, and we must take action to increase our domestic energy supply—this means we must explore and produce here at home. At a time when Americans are experiencing record high oil prices, we must begin exploration in areas such as the Gulf of Mexico and in remote areas of Alaska where the local population supports it. There is no silver bullet, but there are commonsense solutions that we must move forward, in the wake of $4 per gallon gasoline.

It is time to put more dollars back in the hands of Americans instead of foreign dictators. Our energy independence will drive our economic success. In keeping our economy the envy of the world, it is important to note that not addressing climate change is a costly course of action. The Stern Review, the leading analysis of the economic aspects of climate change conducted by Sir Nicholas Stern, former chief economist at the World Bank, estimates that the monetary cost of inaction is equivalent to losing at least 5 percent, or $2.4 trillion, of global gross domestic product each year.

Indeed, delaying action comes at a cost! Paul Volcker, former Federal Reserve Chairman under President Ronald Reagan stated, ''If we don't take action on climate change, you can be sure that our economies will go down the drain in the next 30 years.''

The National Academy of Sciences stated this year that global warming threatens roads, rail lines, ports, and airports. America's global competitiveness is also at stake on this issue.

We used to be the leader in wind, solar, nuclear, and other low-carbon energy. Acting on climate change first puts the United States in a position to develop and own new technologies and all the jobs that come with them. We have never ceded ground on American competitiveness to China, India, and other developing countries, nor should we on this issue. We do not address climate change without the entire world playing a role, but we also do not address it by waiting for others to act. And we can take action in a way that continues to grow our economy.

With the right policy that spurs investment and innovation, we can deploy new technologies that will cut our emissions and not change our lifestyles. We have an opportunity to seize these new technologies, or we can wait and cede ground to others.

The status quo just will not work, not this time and not on this issue. The current path is untenable. It leaves the future of our economy in the hands of volatile and unfriendly nations from which we import oil. It allows the quiet growth of the predicted negative ramifications of climate change that national security experts have cautioned us about. And it leaves us less competitive in new and green technologies.

Cap and trade, first adopted for acid rain under the 1990 Clean Air Act amendments, is an American environmental and economic success story. There is no doubt that this is a much greater challenge and one that affects every sector of the economy. We have the ability to repeat that success. Our constituents do not send us to Washington to sit back and do the easy things. Rather, they send us here to have the courage to tackle the challenges.

This may be one of the hardest things we do, but as American leaders, we have a responsibility to lead. We have a responsibility to find commonsense solutions to the hard problems

and not be afraid of carrying out those solutions.

A clean environment and economic and national security should not be Republican or Democratic issues. These are American issues. We have the opportunity to lead and to change the entire landscape of this dialog.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I get to change the dialog completely. I ask unanimous consent to share joy as in morning business.

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

THE BIRTH OF MEGAN RILEY McGRADY

Mr. ENZI. Mr. President, I get to announce to my Senate family that I am a grampa again. Incidentally, that is spelled with an ''m'' and no ''d,'' grampa, the greatest title anyone can have. It is an indescribable thrill. It is incredible love. You cannot comprehend all of what I am saying unless you have a grandchild.

I have two other grandchildren, but this time Diana's and my youngest child, the baby of the family, had a baby. Emily and her husband Mike, Mike McGrady, met at the University of Wyoming. Mike broke family Florida University Gator tradition to come to Wyoming, but it was part of God's plan. Emily and Mike fell in love and got married. Emily worked for the university while Mike went to law school. When he graduated, he got a job clerking for Federal Circuit Court Judge Terry O'Brien.

Last year they bought a house. This year, they called to ask what we were planning to do for Memorial Day and suggested we might want to be near them for the birth of our grandchild. We were near. Our daughter Emily and her daughter Megan had extremely fortunate timing for Diana and me. Diana and I were in Wyoming for the workweek. Some call it a recess. I prefer to call it, more accurately, a workweek.

The baby started coming almost on schedule. We went to the hospital when Emily went into labor. The family took turns walking the halls with Emily while she could. After 13 hours of labor, mother and baby were getting so tired the doctor suggested—strongly suggested—a Cesarean section to take the baby. When nothing is progressing, there is no other decision. Surgery is always a scary decision.

But at 8:33 on May 29, we had a granddaughter, Megan Riley McGrady. She weighed 6 pounds, 14 ounces, and was 20 inches long with delicate hands and long, thin fingers. I cannot begin to share the emotion and feeling that overwhelms me today. It is such an incredible feeling to hold another generation in your hands, to see such a miniature person and such a huge miracle.

I had the pleasure of holding that baby and watching her breathe and move with 100 different facial expressions—with the tongue in, the tongue out, yawns, eyes closed and eyes wide, and listened to all the little sounds she made. I watched her hands close to tight fists and then open as if to stretch. Of course, I had to let my wife Diana hold her a little, too, and Megan's mom and dad, Emily and Mike, wanted a turn, too, and Mike's parents, Tom and Mary McGrady, came all the way from Florida and, of course, they wanted turns, too.

It was a grand time for our family. I have some instant replay memories of that little face and those moving hands and the blanket and cap to hold in the body heat or the little pink bow on a pink band circling her tiny head. They are all locked in my mind, and I am constantly doing little instant replay memories for myself and thanking God for the opportunities that he has given me from finding Diana to learning about prayer with our first child, the daughter who was born premature, who showed us how worthwhile fighting for life is, to the birth of our son, to the birth of our youngest daughter, this one who had the baby, to helping me through open heart surgery so I might have this chance to hold another generation in my hands.

I think of the Prayer of Jabez in Chronicles where he says: Lord, please continue to bless me, indeed. And I add my thanks for this and all the blessings noticed and, unfortunately, often unnoticed.

So now I am a grampa. That is not grandfather. That is too stilted. Years ago, my daughter gave me a hand-stitched wall hanging that says: ''Any man can be a father, but it takes someone special to be a dad.''

That is a challenge for grampas to live up to, too. Please note the name is not ''grandpa.'' That is a great title, but it is a little too elevated. As I said before, my name, grampa, is spelled with an ''m'' and no ''d.'' That is what I called my Grampa Bradley who took me on some wonderful adventures and taught me a lot of important lessons.

Now it is my turn to live up to that valued name. He liked to be called grampa, and I am now delighted to have the opportunity to earn that name. I wish I could adequately share the joy with you that is in my heart.

After Megan was born, I went to the Republican Convention. When I spoke, I mentioned my mom's admonition that I need to pass on to my grandchildren; that is, to do what is right, to do your best, to treat others as they want to be treated. I use that guideline every day and expect everyone on my staff to measure legislation and casework by it too.

Now I have an additional measure for myself. I don't ever want my grandkids to say: My grampa could have fixed that, but he didn't. I do know that most of what I do fix they will never know about. That is how America is supposed to work. America is a lot of people doing their job, doing it because it needs to be done, not because someone will give them acclaim.

Some would say that you, my granddaughter, Megan Riley McGrady, have been born at a scary time, a time of fear, fear of almost everybody, fear of war, fear of people from other countries, fear for our neighborhoods, worry about energy supplies and energy prices and the effect on food prices.

As an Enzi, we have faith that doing the right thing, doing our best, and treating others as they want to be treated will solve most problems which will overcome fear.

In my job, I get to hear lots of disparaging comments about our country and our Government, but you, granddaughter, were very lucky to be born in this country. I have been to a lot of places in the world now, and I can tell you that there are none that I would trade for the United States. In my job, I often have to remind people that I never hear about anybody trying to get out of our country, but I do hear of millions who would love to live here.

As you get older, precious baby, if things don't change, you will hear people who think Government owes them a living and all kinds of guarantees, and you will hear people portray business as greedy, and you will see attempts to keep faith and God out of your vocabulary. And all those things could come to pass, except for you, you and your family, you and others who will know how to do the right thing and will value the way our country was founded and has grown.

Megan, granddaughter, welcome to this world of promise and hope and faith and love. Your whole family is excited to have you in our lives.

I yield the floor.

The PRESIDING OFFICER. The Presiding Officer congratulates and shares in the joy of the senior Senator from Wyoming.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 tomorrow morning, Wednesday, June 4.

Thereupon, the Senate, at 8:54 p.m., adjourned until Wednesday, June 4, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

CHERYL FELDMAN HALPERN, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2014. (REAPPOINTMENT)

DAVID H. PRYOR, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2014. (REAPPOINTMENT)

BRUCE M. RAMER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2012, VICE WARREN BELL.

ELIZABETH SEMBLER, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2014, VICE CLAUDIA PUIG, TERM EXPIRED.

LORETTA CHERYL SUTLIFF, OF NEVADA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2012, VICE FRANK HENRY CRUZ, TERM EXPIRED.

DEPARTMENT OF STATE

JAMES CULBERTSON, OF NORTH CAROLINA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

W. STUART SYMINGTON, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF RWANDA.

ALAN W. EASTHAM, JR., OF ARKANSAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE CONGO.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

KENNETH L. PEEL, OF MARYLAND, TO BE UNITED STATES DIRECTOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT, VICE MARK SULLIVAN, RESIGNED.

DEPARTMENT OF JUSTICE

DENNIS MICHAEL KLEIN, OF KENTUCKY, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE JOHN SCHICKEL, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICKY LYNCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3064 AND 3069(B):

To be major general

COL. PATRICIA D. HOROHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 3064 AND 3084:

To be brigadier general

COL. TIMOTHY K. ADAMS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

ANDREW P. ARMACOST

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

HANS C. BRUNTMYER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

DWIGHT PEAKE
KRISTIN K. SAENZ

To be major

BRENT D. MARTIN
TREVOR S. PETROU

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHRISTINE CORNISH
ALANE D. DURAND
WILLIAM R. MOORE
DAVID G. WATSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL J. MCCORMACK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GREGG P. LOMBARDO
CHARLES J. NEWBURY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL L. GARD
DANA C. REED
WILLIAM A. WILDHACK III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARK S. BELLIS
LOUIS A. BODNAR
STEPHEN M. COOK
DAVID S. COX
MARK J. FUNG
RONALD D. GRUZESKY
JOSEPH M. HINSON III
DAVID F. MARASCO
MICHAEL R. MERINO
ROGER A. MOTZKO
FREDERICK A. MUCKE
JAMES A. MUIR
MICHAEL J. PINSONEAULT
CRAIG A. SCHARTON
ALAN W. TODD
DALE K. UYEDA
ALAN N. WATT
DAVID K. WILL
STEVEN R. WOLFE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

FREDERICK H. BOYLES
BARRY L. BROWN
REID W. CHAMBERS
LEE A. GAUL
MARK S. GHIRARDI
JULIE A. HAMMOND
GREGORY K. HORNSBY
JEFFREY T. JOHNSON
LOU A. LANIER
JAMES B. LATHAM
STEPHAN K. OLIVER
CHARLES I. RINK
JAMES R. SILLS
ALLISON M. WELDON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ESTHER E. BURLINGAME
GEORGE H. FUTCH, JR.
GREGORY E. GOMER
MICHAEL W. HARTFORD
VICTOR M. HUERTAS
IVES C. MAZUR
MICHAEL J. MEDINA
KIMBERLY K. PELLACK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KENNETH D. LAPOLLA
STEPHEN W. PAULETTE
BRYAN W. SHIELDS
CAROLYN B. WAGONER
JOSEPH R. WILLIE II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRUCE BENNETT
WILLIAM H. BRAGDON, JR.
STEWART A. BRAZIN
JOE P. CALDWELL
JOSEPH F. CHESKY
EDWARD R. GILLETT
DALE W. GREENWOOD
DANIEL E. KAHLER
CHRISTOPHER M. KUSHNER
MICHAEL D. LANE
GARY P. LESSMANN
THOMAS J. MANSKI
JONATHAN E. MATSON
MICHAEL D. MCBETH
MICHAEL F. MCGRATH
MARIA H. MELBOURNE
MATTHEW E. NORMAN
THOMAS J. PATTON
SCOTT K. RINEER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL K. BEAN
BARRY R. BLANKFIELD
BRADLEY J. CORDTS
DANA T. DYSON
FRANKLIN J. FOIL
HANS P. GRAFF
BETH A. HARRIS
BRUNO W. KATZ
SHERI L. LEWIS
GREGORY P. NOONE
LESLIE E. REARDANZ III
MICHAEL B. SHAW
DAVID J. SMITH
JOHN T. WOOLDRIDGE
TED Y. YAMADA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GLORIA M. BAISEY
JANIE C. R. BRIER
SCOT K. CANFIELD
REBECCA A. CRICHTON
DEBRA T. CROWELL
ANDREA A. DEMELLOSTEVERS
FLEURETTE S. ETIENNE
LINDA D. GEISAKA
JUDY L. HANSEN
DONNA M. HORN
MARY J. ISAACSON
ROSALIE G. KORSON
MARY A. KROETCH
LORI J. LAVELLEJARDIN
NANCY A. E. MACE
KIMBERLY M. G. MATTHEWS
EDWARDO T. MUNOZ
SHARON C. NEWTON
MARY E. NORGAARD
SUSAN S. PAPE
KATHLEEN F. PUTNAM
ELIZABETH A. REISER
RUTH E. RIDDLES
DEBRA S. SCHEEL
JAMES R. SEXTON
NANCY A. SUSICK
LISA A. TABENKEN
JOHN F. TERMINI
ELAINE K. WALKER
PATRICIA L. WEST

EXTENSIONS OF REMARKS

HONORING KEVIN BOREN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kevin Boren of Grain Valley, Missouri. Kevin is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1228, and earning the most prestigious award of Eagle Scout.

Kevin has been very active with his troop, participating in many Scout activities. Over the many years Kevin has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kevin Boren for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HAPPY BIRTHDAY MRS. MONICA (RUHL) KINNEL

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. WALDEN of Oregon. Madam Speaker, I rise today to inform our colleagues of a milestone event that occurred yesterday for a very special lady in the Grande Ronde Valley of Oregon. Mrs. Monica (Ruhl) Kinnel turned 100 years old yesterday and celebrated over the weekend in Island City, Oregon with many generations of her family and a legion of friends and admirers. Monica is an amazing lady who has led a remarkable and exciting life, and The Observer newspaper in La Grande, Oregon recently chronicled her adventures to date and I'd like to share with you some highlights from it.

In July 1892 a land purchase was made on the outskirts of Alicel in modern day Union County that became the seminal grounds for a ranching/farming family that has spanned five generations in the Grande Ronde Valley. Monica's grandparents, Henry and Anna Ruhl, purchased 338 acres near Alicel for $10,000 and assumed a $2,500 debt on the land. Their son Harry continued operation of the Alicel ranch and married Maude Gaskill whose parents owned a farm less than two miles away.

Maude designed a ranch home that her father-in-law Henry built on his land. Built with brick from the La Grande brickyard and mortar made from sand from the Grande Ronde River, the home was completed in 1906. Two years later on June 2, 1908, Monica was born. Monica lives with her daughter and son-in-law, Sharon and Bob Beck, in the house she was born in 100 years ago.

Harry and Maude were fun-loving and curious and involved Monica in life's happenings. Monica remembers an outing to Boise with her father when he bought a toaster. Monica asked him what he was going to do with it since they didn't have electricity. Harry replied, ''We'll be ready.''

Monica was married to Bob Kinnel in 1930. They took over the family ranch, raising Hereford cattle and farming. They added more farm land adjacent to the Ruhl ranch and the whole became the Kinnel Ranch where they raised their family and lived until Bob's untimely demise at the age of 43 in 1955. Monica and Bob made a real team and raised three lovely daughters, Suzanne (who passed away in 1999), Joanne and Sharon. Sharon recounts that her parents had ''a love affair so powerful and so joyful that the two of them seemed to know something that no one else knew.''

Willis Ketchum, who now owns a neighboring farm, and the girls who were then in their early 20s, rallied around Monica and pitched in to save the ranch. In the fall of 1956 Monica hired on a scrapping, ranch-raised young man from Telocaset named Bob Beck. In just over a year he married Sharon and together they have added their own chapter to the family saga.

Monica traveled the world with daughter Joanne and the United States with other family and friends. Monica's legacy of love and laughter has been imparted to her grandchildren and great grandchildren as well. Anecdotes abound, like the time she brought grandson Rob a male tarantula from California. He built a terrarium and the next year she took Rob to the same desert to release him. Another is when grandson Brad and some contractor working on the house witnessed Monica—then in her 80s—leave the house with a fishing pole and satchel ''to go catch breakfast'' and came back within 30 minutes with a 22-inch rainbow trout.

Monica has always taught her family to live in the now, don't put things off til later as there may not be a later. Given the choice of describing her life as a hard-working, tenacious and productive ant or a carefree, live-for-the-moment grasshopper, Monica chose the grasshopper without hesitation. Her philosophy is ''live and let live.'' Fortunately for Monica and her family, she continues to live an exhilarating journey.

Madam Speaker, on behalf of the United States Congress, I wish Monica Kinnel a very happy 100th birthday!

CARIBBEAN AMERICAN HERITAGE MONTH

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. RUSH. Madam Speaker, I rise today to praise the contributions of the Caribbean-American community to this Nation's history and development. Since before the 1770's when Jean Baptist Pointe DuSable moved to what is now my hometown of Chicago this community has played a vital and positive role in the development of this country.

With over 4.6 million Caribbean-Americans in this country the contributions of this community should not be overlooked. This Caribbean-American community has brought to us such notables as Alexander Hamilton, Sydney Poitier, W.E.B. Dubois, Malcolm X, and former Secretary of State Colin Powell.

Madam Speaker, without the contributions of these individuals the United States would not be the country we see today. Without Hamilton, would we have been the Constitutional Republic that allows us to be here today? Without Dubois when might we have realized that ''The cost of liberty is less than the price of repression.'' Without Malcolm X would our youth understand that ''The future belongs to those who prepare for it today.''

Madam Speaker, in preparing for that future I believe it is fundamental that we remember our roots. I thank the Caribbean-American community for their contributions to society and look forward to what is yet to come.

HONORING MR. PETER QUINN

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. SESTAK. Madam Speaker, I rise today to recognize a remarkable man and his equally remarkable family. Mr. Peter Quinn of Wallingford, PA is a man of many talents—each of enormous value to our community. He is deeply spiritual, with extraordinary compassion for those in our society who struggle with a wide range of personal challenges. A graduate of Villanova University and a peerless teacher and guidance counselor at Bishop McDevitt High School in Philadelphia, Pete Quinn possesses a unique capacity to positively influence young people. That quality was never clearer than when he left Bishop McDevitt to become a founder and prime mover behind ''The Bridge'' at Fox Chase. This creative residential substance abuse treatment program is a safe harbor for teenagers from Pennsylvania, New Jersey and Delaware and a model behavioral health service program. While at The Bridge, Pete worked tirelessly to see that young men with substance abuse problems received innovative treatment and, most importantly, that they had a role model for life in the person of Pete Quinn.

Following that signal achievement, Pete became a valuable member of the Philadelphia business community while serving as the Government Relations Director and Community Outreach Coordinator for one of the world's largest pharmaceutical firms. For nearly a decade he promoted responsible corporate programs to help the community he loves so dearly. In June 2008, Pete Quinn will complete

his fourth impressive career when he retires as founding executive director of the Greater Valley Forge Transportation Management Association (TMA). In that capacity Pete contributed directly to the economic vitality of the 7th Congressional District by advancing hundreds of transit improvements, including the 422 River Crossings Projects, I–76/I–476 TSM project and many more.

Without doubt, however, Pete's greatest accomplishment is his loving and devoted family. His wife Maryanne, the love of his life and best friend, has been one of the area's finest Latin teachers for nearly two decades at the Haverford School. Their daughter Maryanne, her mother's namesake, scholarly equal and successful business leader, is married to Mr. Bryan Hancock with 2 beautiful children, Will and Hugh. Pete Quinn Jr, husband to Kristen and father of Warner and Anderson, reflects the best of his father. A graduate of the US Naval Academy and F–18 Hornet pilot, he's currently serving our nation as we fight wars on two fronts.

Madam Speaker I ask that we pause and salute Pete and Maryanne Quinn, their exceptional children and grandchildren for representing the epitome of a life well lived in loving service to one another, their community and our great nation.

IN RECOGNITION OF THE JOINT VETERANS COMMISSION OF CUYAHOGA COUNTY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of the Joint Veterans Commission of Cuyahoga County as they commemorate Flag Day 2008, Naturalization Day and the two hundred and thirty-third anniversary of the U.S. Army at the Rock and Roll Hall of Fame and Museum.

I stand today in recognition of the individuals and organizations who make up The Joint Veterans Commission of Cuyahoga County: Army and Navy Union, Catholic War Veterans, Jewish War Veterans, Korean War Veterans Association, Marine Corps League, Military Order of the Purple Heart, Navy Seabee Veterans of America, Paralyzed Veterans of America, Polish Legion of American Veterans, Reserve Officers Association, Southwest Asia Veterans, Ukrainian American Veterans, United Spanish War Veterans, Vietnam Veterans of America, Waves National, and the 82nd Airborne Division Association. Their collective and individual efforts ensure a memorable celebration of this year's Flag Day, Naturalization Day and the 233rd Birthday of the U.S. Army.

Madam Speaker and colleagues, please join me in honor of The Joint Veterans Commission of Cuyahoga County as they commemorate Flag Day 2008, Naturalization Day, and the 233rd Birthday of the U.S. Army, and in recognition of the individual and collective commitment of the members and organizations to the Greater Cleveland Area.

CLYDE HAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Clyde Han, of Cameron, Missouri. On May 31, 2008, after 25 years of service, Clyde retired from the Cameron, Missouri Fire Department.

Mr. Han has established a distinctive and well respected career serving and protecting the public. Clyde is a Certified Instructor for the University of Missouri Fire Service, and was the University of Missouri Fire & Rescue Training Coordinator for Northwest Missouri for several years. Mr. Han is a certified Fire Investigator for the State of Missouri. Clyde was also an instructor for the Cameron Fire Department, as well as the Fire Inspector for the City of Cameron, Missouri. Mr. Han ended his career with the Cameron Fire Department as Captain.

Madam Speaker, I proudly ask you to join me in recognizing Clyde Han, whose dedication and service to the citizens he helped protect has been truly outstanding. I commend Clyde on an exceptional career, and I am honored to serve him in the United States Congress.

TRIBUTE TO TENNESSEE'S 4TH CONGRESSIONAL DISTRICT FIREFIGHTERS

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, over 250 years ago, Benjamin Franklin created the Union Fire Company, the first volunteer fire fighting company in America. Today, volunteers make up over 70% of United States firefighters, with 820,000 Americans dedicating their free time to protecting their neighbors, homes and communities from fire and other calamities.

More than 21,000 of the roughly 30,000 fire departments in the country are entirely comprised of volunteer service members ready and willing to respond to over a million fires every year. Our volunteer fire fighters spend their time and resources to train, prepare and equip themselves so they are ready to face whatever challenge might threaten our homes or safety. Moreover, firefighters are summoned to address a wide variety of emergencies in our country every year, from emergency medical care to natural disasters, water rescue to threats from hazardous materials and more.

The volunteer firefighters of today are working hard to carry on a tradition of commitment to each other that outlasts America itself. As long as fires threaten the well-being of our neighbors and loved ones, the volunteer firefighters of America will continue to answer the call in our defense. For all they do, they deserve our thanks and respect. I rise with my colleagues today to applaud their service and that of paid full-time and part-time firefighters to our country and their noble regard for the protection of us all.

RECOGNIZING THE FIRST BAPTIST CHURCH OF GRAND BLANC

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to the First Baptist Church of Grand Blanc as they celebrate the 175th anniversary of the Church's founding. A celebration was held on June 1st in Grand Blanc, Michigan to mark this momentous occasion.

The First Baptist Church of Grand Blanc was founded in 1833 when 26 settlers came together to establish a place of worship. Their guiding beliefs were a dedication to God, religious liberty, belief in the literal translation of the Bible, separation of Church and state, and the autonomy of the local Church.

The 26 individuals were Daniel Williams, Alfred Brainerd, John Tupper, Alden Tupper, Newall Tupper, Harrison Tupper, Alexander Tupper, Phile Miner, John Fritz, Robert Winchell, Philander Williams, Betsy Tupper, Hannah Tupper, Isabelle Tupper, Asenath Brainerd, Sarah Brainerd, Alice Miner, Susanna Fritz, Electa Williams, Sophrona Straw, Almira Phelps, Lovina Gilbert, Sarah Perry, Lovina Williams, Jason Austin, and Eunice Austin. The first meetings were held in a barn and the First Baptist Church of Grand Blanc became the first Protestant Church between Pontiac and the Straits of Mackinaw.

Over the years the congregation has grown. The Church was officially dedicated in 1851 and over the years the congregation has expanded the building and facilities to suit the growing needs of the faithful. In addition to the classrooms and dining hall, a new fellowship hall and a 400-seat sanctuary have been added. The Church was named a State of Michigan Historic Site in 1974 and a National Historic Site in 1983.

Under the current leadership of interim pastor, Reverend Darrell Foltz, the congregation continues to work under the principles of vision, faith and courage to meet the challenges of our world. The congregation meets these challenges every day armed with their spiritual guidance and love of God.

Madam Speaker, I ask the House of Representatives to rise with me and applaud the First Baptist Church of Grand Blanc for celebrating their 175th anniversary. The bell that was installed in 1837 continues to ring today calling the faithful to worship. May it continue to ring for another 175 years.

A TRIBUTE TO M. MAGDALENA CARRILLO MEJIA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. MATSUI. Madam Speaker, I rise today in recognition of Dr. M. Magdalena Carrillo Mejia's years of service as the superintendent of the Sacramento City Unified School District. Dr. Mejia leaves a lasting legacy in Sacramento and she will be deeply missed. I ask all my colleagues to join me in honoring one of Sacramento's leaders in education.

After earning her bachelor's and master's degree in Multicultural Education from the

California State University, San Diego, Dr. Mejia has been a tireless advocate for education. She began her career in the Sweetwater Union High School District serving as a classroom teacher at Sweetwater High School and later at Mar Vista High School. Dr. Mejia's dedication to improving California's educational system led to her 1999 appointment as superintendent in the Montebello Unified School District. In 2000, Dr. Mejia received a Doctorate of Philosophy in Educational Policy and Administration from the University of Southern California and was appointed superintendent of the Sacramento City Unified School District in 2003.

During her time as superintendent of the Sacramento City Unified School District, Dr. Mejia has developed and implemented a strategic plan entitled ''Success for Every Student by Name.'' This plan gives special attention to four essential areas for improving education: closing the achievement gap, ensuring a successful transition from middle school to high school, integrating physical, social and emotional supports with academics, and improving parent and community engagement. In addition, Dr. Mejia has led other innovative initiatives in Sacramento. This includes seeing that the Sacramento City School District became the first district in California to earn an international certification for standardizing procedures and practices at the central office. She undertook a rigorous district review with the guidance of the Annenberg Institute for School Reform, a process in which only ten districts in the Nation have engaged in. In 2007, Dr. Mejia was instrumental in the creation of a middle school task force to undertake reforms at that level. This has led to increased support for teachers and students alike.

Dr. Mejia has received many honors and professional recognition for her work in improving K–12 education. She was named the Association of California School Administrators Superintendent of the Year in 2006 and most recently she was one of the two California superintendents chosen by State Superintendent Jack O'Connell to represent California at the National Academy of Superintendents conference in Ohio. In addition Dr. Mejia has been awarded the first annual Administrator of the Year award from the California Association for Bilingual Education, named the Milken National Educator of the Year, and State Senator Martha Escutia's Woman of the Year for the 30th State Senate District.

Madam Speaker, I am honored to pay tribute to Dr. M. Magdalena Carrillo Mejia's distinguished commitment to education here in Sacramento and throughout California. Dr. Mejia's outstanding leadership and dedication to the Sacramento City Unified School District has increased the performance of our schools and most importantly our students. We all are thankful for her efforts. As Dr. Mejia's husband Carlos, their two children, her colleagues, family and friends gather to honor her service, I ask all my colleagues to join me in wishing her continued good fortune in her future endeavors.

TRIBUTE TO DR. CHARLES JOSEPH ZERZAN, JR.

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. WALDEN of Oregon. Madam Speaker. I rise today to note the passing of a true American hero and fellow Oregonian, Dr. Charles Joseph Zerzan, Jr. Dr. Zerzan passed from this world on May 23, 2008 in the presence of his beloved wife and children. This man devoted his life to service of his family, the community and our Nation, and it is a singular sign of America's special blessing that individuals such as he have lived, enriching us all in the great enterprise of our Nation. I know this entire body will rise with me and give a solemn note of thanks to Dr. Zerzan, and our condolences to his family.

Charles Zerzan was born on December 1, 1921 in Portland, Oregon and attended primary and secondary school in the Portland and Salem areas. At the age of sixteen his parents lied about his age so that he could enlist in the Oregon National Guard; three years later America entered World War II and Dr. Zerzan found himself a 2nd Lieutenant in an Airborne division commanding men several years older than he in the harsh jungle and mountain terrain of the China-Burma-India theatre. At the end of the war, by which time he had earned the rank of Captain, he returned home to Oregon to attend Willamette University and earned a Bachelor of Arts degree. He then proceeded to medical school at the University of Marquette, where he earned the degree of Medical Doctor with a specialty in internal medicine. Following medical school Dr. Zerzan re-enlisted in the U.S. Army and served in many prestigious posts. Among these were two tours in Washington at Walter Reed Army Hospital; Chief of Medicine at Rodriguez Army Hospital; and he served as U.S. Army Medical Advisor to the Jordan Arab Army. Dr. Zerzan had the privilege of serving as personal physician to President Dwight D. Eisenhower, His Majesty King Hussein bin Talal of Jordan, members of the U.S. Supreme Court and numerous United States Senators and Congressmen. During the Cuban Missile crisis Dr. Zerzan was part of the invasion force planning to go ashore in Cuba, in the event of a conflict which thankfully never came to pass.

Dr. Zerzan was highly decorated for his service to the United States. Among the military honors he received are the Legion of Merit, the Army Commendation Medal with two oak leaf clusters, the World War II Victory Medal, the Pacific Theater Medal with two battle stars, the National Defense ribbon and the American Defense ribbon. These honors, which are awarded among other reasons for ''exceptionally meritorious conduct in the performance of outstanding services and achievements,'' are but a small symbol of the patriotism and devotion of Dr. Zerzan to our country. As is true for so many of our veterans the true worth of his service cannot be measured.

Upon retirement from the Army in 1968 Dr. Zerzan returned to Oregon, where he served as Director of Continuing Medical Education at the Medical School of the University of Oregon-Portland (now known as Oregon Health Sciences University), and later as partner in the NW Permanente Clinic, Sunnyside Kaiser.

Despite his many professional achievements Dr. Zerzan viewed his greatest accomplishment to be his family. It was while attending college at Willamette University that Dr. Zerzan met the great love of his life, Ms. Joan Margaret Kathan of Rogue River, Oregon. As Mrs. Zerzan described it, the first time they kissed her ''shoes flew off,'' and she knew it was true love. They married on February 7, 1948 and during their 60 years of marriage proceeded to have 12 children. These children, who live in Oregon and throughout the United States, in turn gave Dr. Zerzan 30 grandchildren and three great-grandchildren.

The passing of Dr. Zerzan is a sad day for Oregon and all of America. But at the same time, it is a source of celebration for the accomplishment of his life's work. Dr. Zerzan was a man of courage, honor and great faith. As recorded in the Gospel of St. Matthew: ''Store up for yourselves treasures in heaven, where moth and rust do not destroy, and where thieves do not break in and steal. For where your treasure is, there your heart will be also.'' Dr. Zerzan's treasure was in his devotion to his family, his country and his work. He has now passed on to receive his reward, and to enjoy the treasure he stored up during his time on earth. Thank you, Madam Speaker, for joining with me and our colleagues today to celebrate Dr. Zerzan's life and reward.

PERSONAL EXPLANATION

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. RUSH. Madam Speaker, unfortunately I have been out on medical leave. I have been unable to cast votes; however, I would like the RECORD to reflect my intentions had I been present to vote.

Had I been present for rollcall No. 366, I would have voted ''aye.''

Had I been present for rollcall No. 365, I would have voted ''nay.''

Had I been present for rollcall No. 364, I would have voted ''nay.''

Had I been present for rollcall No. 363, I would have voted ''aye.''

Had I been present for rollcall No. 362, I would have voted ''aye.''

Had I been present for rollcall No. 361, I would have voted ''aye.''

Had I been present for rollcall No. 360, I would have voted ''aye.''

Had I been present for rollcall No. 359, I would have voted ''aye.''

Had I been present for rollcall No. 358, I would have voted ''nay.''

Had I been present for rollcall No. 357, I would have voted ''aye.''

Had I been present for rollcall No. 356, I would have voted ''nay.''

Had I been present for rollcall No. 355, I would have voted ''nay.''

Had I been present for rollcall No. 354, I would have voted ''aye''

Had I been present for rollcall No. 353, I would have voted ''aye.''

Had I been present for rollcall No. 352, I would have voted ''aye.''

Had I been present for rollcall No. 351, I would have voted ''aye.''

Had I been present for rollcall No. 350, I would have voted ''aye.''

Had I been present for rollcall No. 349, I would have voted "nay."

Had I been present for rollcall No. 348, I would have voted "aye."

Had I been present for rolleall No. 347, I would have voted "aye."

Had I been present for rollcall No. 346, I would have voted "aye."

Had I been present for rollcall No. 345, I would have voted "aye."

Had I been present for rollcall No. 344, I would have voted "aye."

Had I been present for rollcall No. 343, I would have voted "nay."

Had I been present for rollcall No. 342, I would have voted "aye."

Had I been present for rollcall No. 341, I would have voted "aye."

Had I been present for rollcall No. 340, I would have voted "aye."

Had I been present for rollcall No. 339, I would have voted "aye."

Had I been present for rollcall No. 338, I would have voted "aye."

Had I been present for rollcall No. 337, I would have voted "aye."

Had I been present for rollcall No. 336, I would have voted "aye."

Had I been present for rollcall No. 335, I would have voted "nay."

Had I been present for rollcall No. 334, I would have voted "aye."

Had I been present for rollcall No. 333, I would have voted "aye."

Had I been present for rollcall No. 332, I would have voted "aye."

Had I been present for rollcall No. 331, I would have voted "aye."

Had I been present for rollcall No. 330, I would have voted "aye."

Had I been present for rollcall No. 329, I would have voted "aye."

Had I been present for rollcall No. 328, I would have voted "nay."

Had I been present for rollcall No. 327, I would have voted "aye."

Had I been present for rollcall No. 326, I would have voted "aye."

Had I been present for rollcall No. 325, I would have voted "aye."

Had I been present for rollcall No. 324, I would have voted "aye."

Had I been present for rollcall No. 322, I would have voted "aye."

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Had I been present for rollcall No. 320, I would have voted "aye."

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Had I been present for rollcall No. 316, I would have voted "aye."

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Had I been present for rollcall No. 308, I would have voted "aye."

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Had I been present for rollcall No. 300, I would have voted "aye."

Had I been present for rollcall No. 299, I would have voted "aye."

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Had I been present for rollcall No. 172, I would have voted "nay."
Had I been present for rollcall No. 171, I would have voted "aye."
Had I been present for rollcall No. 169, I would have voted "nay."
Had I been present for rollcall No. 168, I would have voted "nay."
Had I been present for rollcall No. 167, I would have voted "aye."
Had I been present for rollcall No. 166, I would have voted "aye."
Had I been present for rollcall No. 165, I would have voted "aye."
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Had I been present for rollcall No. 163, I would have voted "aye."
Had I been present for rollcall No. 162, I would have voted "aye."
Had I been present for rollcall No. 161, I would have voted "aye."

HONORING RSVP OF MONTGOMERY COUNTY'S 35 YEARS OF FACILITATING VOLUNTARISM

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. SESTAK. Madam Speaker, on behalf of all the citizens of the 7th Congressional District of Pennsylvania, it gives me great pleasure to recognize the Retired & Senior Volunteer Program (RSVP) of Montgomery on its 35th Anniversary.

RSVP of Montgomery County, established in 1973, promotes voluntarism among persons 55 years of age and older, and provides opportunities for them to pursue their interests and use their abilities to help meet critical human needs in Montgomery County. This double mission is beneficial to all concerned. Major findings from more than 30 rigorous and longitudinal studies have found that seniors who volunteer have greater longevity, higher functionality, lower rates of depression, and less incidence of heart disease. With the large number of baby boomers (27 percent of the population) now reaching senior adulthood, RSVP's mission is becoming increasingly relevant to society as a whole. While volunteers are bettering their own lives, they are contributing invaluable service to the community at large. Last year RSVP of Montgomery County's 1,300 volunteers contributed more than 100,000 hours to 300 nonprofit agencies and 11 special programs that RSVP has developed to assist vulnerable sectors of society.

In the area of arts and culture, 112 volunteers contributed 7,725 hours assisting 30 museums, libraries, historical sites, nature preserves, cultural organizations, and performance groups. In the area of health, 253 volunteers contributed 30,000 hours working in 48 hospitals, hospices, rehab centers, adult day care centers, nursing homes, the American Red Cross, March of Dimes, Easter Seal Society, Wellness Center, and organizations dedicated to specific diseases. In the area of Human Services, 691 volunteers contributed 36,000 hours working in 78 various human service agencies throughout the county including the Women's Center, Manna on Main Street, Meals on Wheels programs, hotlines, shelters, soup kitchens, and more.

Within the 11 RSVP programs, 45 trained volunteers contributed 3,018 hours of service tutoring over 300 American and foreign-born adults in GED, ESL and basic literacy programs; 61 trained volunteers contributed 2,153 hours working with 200 young elementary school children, helping them improve their reading skills and confidence; 17 trained volunteer counselors contributed 1,908 hours assisting more than 1,000 seniors with health insurance concerns; 77 volunteers contributed 2,634 hours assisting frail/homebound elders with nonmedical tasks of daily living; 15 volunteers contributed 851 hours reading to Head Start children on a regular basis; 30 volunteers at Gwynedd Estates contributed more than 500 hours wrapping new gift books for Head Start children; 9 volunteers contributed 213 hours visiting special needs children in their homes on a weekly basis, providing the children with companionship and skill reinforcement while affording their families needed respite time and emotional support; 77 mentors contributed 6,967 hours meeting on a one-on-one, long-term basis with 82 elementary, middle, and high school students whose potential is compromised by difficult life circumstances; 27 volunteers contributed 481 hours enhancing emergency preparedness awareness in Montgomery County; 84 volunteers contributed 6,738 hours as tutors, aides, docents, and presenters to children in schools and agencies serving youth; 88 volunteer speakers and trained clowns contributed 2,064 hours making topical presentations and providing entertainment to community organizations, clubs, and nursing homes; and 44 retired executives, professionals, managers, and technicians contributed 2,973 hours helping nonprofit agencies build their capacity and enhance their service delivery.

Just two examples of RSVP volunteers in action are:

Ron, a retired businessman, has been a mentor to two brothers—Josh who is 10 and Nathan who is 12—through the Prétogé program. Originally, Ron was matched with Josh, but he said it broke his heart to leave Nathan behind when they went on excursions because the brothers are like "two peas in a pod". The boys' mother is seriously ill with Scleroderma and disabled. There is no family in the area except for an absentee father. The boys take care of their mother by cooking, cleaning, feeding her when necessary and remaining quiet so that she can rest. Both boys are motivated to do well and are well-behaved, but needed someone to build their confidence and take them on outings. Ron has taken them to the Camden Aquarium, the National Constitution Center, Fireman's Hall, the Auto Show, ball games, movies, and amusement parks. Ron is married but never had children. On Fathers Day last June the boys called him to wish him an honorary Fathers Day. At Prétogé's 10th anniversary event in November, Ron brought the boys and their mother. At that event, the mother asked to stand and thank Ron and Prétogé for all they have done for her children.

Volunteer, Jan, goes once a week to Conshohocken Head Start where she spends two hours reading to the children. She also tries to cultivate their observational skills through various activities such as putting an item in a bag and asking the children to feel it and guess what it is; or putting items on a tray, having the children look at them, and then covering them with a towel and asking the children to remember what they saw.

I applaud this great organization and their volunteers for all the work they have done and look forward to RSVP of Montgomery County's next 35 years of helping seniors help others.

IN RECOGNITION OF THE 90TH ANNIVERSARY OF REPUBLIC DAY OF AZERBAIJAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of the 90th anniversary of Republic Day, celebrated by the people of Azerbaijan and in recognition of the Republic's rich and diverse history.

Every year on May 28, the Azerbaijani people celebrate the establishment of the Democratic Republic of Azerbaijan. It was on this day in 1918, that Azerbaijan was first declared as an independent Democratic Republic, the first of its kind in the Middle East. Azerbaijan connects the Eastern and Western worlds; located on the western coast of the Caspian Sea, in the center of what was the historical Silk Road. The country is home to more than 70 diverse ethnic groups and its history can be traced back to over a million years ago to the Azykh cave. I join the Azerbaijani people in celebrating their rich cultural heritage and history on this year's Republic Day celebration.

Madam Speaker and colleagues, please join me in honor of the Azerbaijani people and in recognition of the country's rich culture and history.

HONORING MATHEW MILLER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Mathew Miller of Grain Valley, Missouri. Mathew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1310, and earning the most prestigious award of Eagle Scout.

Mathew has been very active with his troop, participating in many Scout activities. Over the many years Mathew has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Mathew Miller for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

ADMIRAL FRANK KELSO II RECEIVES DISTINGUISHED GRADUATE HONOR AT NAVAL ACADEMY

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, watching over the air and sea while providing exemplary support for our land based services, the United States Navy has a service record that history has looked favorably upon from the Revolutionary War through the Battle of Midway to their present day services around the globe.

One alumni of this cherished brotherhood, Admiral Frank Kelso II, a man who dedicated his life to service of his country, was recently bestowed with the 2008 Distinguished Graduate Award during the U.S. Naval Academy Alumni Association's annual ceremonies in Annapolis, Maryland.

With a Naval career as long as it is distinguished, Admiral Kelso, born in Lincoln County, Tennessee, steadily rose through the ranks following his graduation from the Naval Academy in 1956.

Serving various tours on *Balao, Skipjack, Permit,* and *LaFayette* class submarines and attending the Navy's Submarine School, Admiral Kelso was promoted to Commanding Officer of the Naval Nuclear Power School, USS *Finback* and USS *Bluefish.*

In subsequent tours, the Admiral served as Executive Assistant to the Commander in Chief, U.S. Atlantic Command and the U.S. Atlantic Fleet and Supreme Allied Commander, Atlantic. He was then assigned to reestablish and command Submarine Squadron Seven.

In 1980 he was selected as Rear Admiral, where his Pentagon assignments included Director, Strategic Submarine Division, Office of the Chief of Naval Operations, and Director, Office of Program Appraisal, Office of the Secretary of the Navy.

By 1985 Admiral Kelso was commanding the Sixth Fleet in the Mediterranean Sea and NATO Naval Striking Force and Support Forces Southern Europe. During this time the Admiral led successful operations against Libya.

Earning his fourth star, Kelso was promoted to Admiral in 1986, shortly before assuming the duties of Commander, U.S. Atlantic Fleet. Admiral Kelso later became NATO's Supreme Allied Commander Atlantic and Commander in Chief, U.S. Atlantic Command.

Admiral Kelso's naval career reached its high point when he was named the 24th Chief of Naval Operations in 1990, making him the first Tennessean to hold that position. He served as CNO for nearly four years.

Beyond serving in a high ranking military position in the U.S. government and the numerous medals he has earned, Admiral Kelso has remained humble and grounded—saying his greatest accomplishments are his children and grandchildren. As a father of three and grandfather to five, I can say family is the driving force in life and is to be cherished as described by the Admiral.

We are proud to have Admiral and Mrs. Kelso as native residents of the 4th District and wish them the best.

HONORING QUINN CHAPEL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KILDEE. Madam Speaker, I ask the House of Representatives to join me in congratulating Quinn Chapel African Methodist Episcopal Church on celebrating 133 years of worship and outreach in Flint, Michigan. On Friday, May 30th the congregation of Quinn Chapel recognized this milestone at a special anniversary program.

Quinn Chapel AME Church has a long tradition in Flint. This tradition began in the home of Mrs. Nancy West, where in 1875 she first opened her doors for prayer services. Quinn Chapel reached out to the community, becoming a positive influence on families looking for opportunity in the early days of Michigan.

As Flint grew, so did Quinn Chapel. In 1877 the congregation moved from Mrs. West's home and into a new location on Seventh Street. A decision was made in 1912 to build a new sanctuary and the brick structure was dedicated in 1922. The music program gained national recognition and the Senior Choir took first place in a national music contest during the 1940s.

When the City of Flint decided to build the municipal center in 1955, Quinn Chapel had to relocate again. The first Church service was held in the new structure on Lippincott Boulevard on December 25, 1960. Bishop Joseph Gomez formally dedicated this sanctuary in 1961.

Designated a Historical Site by the State of Michigan, Quinn Chapel AME Church has fulfilled their African Methodist Episcopal motto, ''God Our Father, Christ Our Redeemer, Man Our Brother.'' Under the leadership of their Pastor, Reverend Stanley U. Sims, the congregation continues to provide the residents of Flint with a place to worship in a faith filled community.

Madam Speaker, I ask the House of Representatives to join me in applauding this community for their dedication to Christian life. For 133 years Quinn Chapel African Methodist Episcopal Church has led services for its members and provided a foundation for the spiritual lives of many in Flint. I pray they will continue their blessed work for many, many years to come.

IN HONOR OF BARBARA McCARTY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. MATSUI. Madam Speaker, it is with sadness that I rise in honor of Barbara McCarty, who passed away late last month in Hawaii.

Barbara's life was an American success story. She immigrated to the United States from England, became an American citizen, graduated from Sacramento State University and later earned a law degree. Through all of this, she raised 4 remarkable children as a single mother.

For the better part of the last 3 decades Barbara practiced law in Sacramento, primarily focusing on workers compensation cases. In 1992, she and a colleague staked out on their own and started a law practice. In addition to being a fine lawyer and wonderful mother, Barbara was a vibrant community leader. She was always active with women's causes and was engaged in many civic endeavors, even after she retired in Hawaii.

Barbara is survived by her children: Laura LaMarre; Kevin McCarty; Christopher McCarty; Trevor Nielsen; and her sister, Anne Gash. She also leaves behind 7 grandchildren and countless friends in Sacramento and Hawaii.

Madam Speaker, I ask that my colleagues join me today in paying honor to Barbara McCarty for her exemplary service to those of us in Sacramento and across the Nation. Her life and legacy—as a mother and advocate—will be an inspiration to us all. I ask that we take a moment and extend our utmost respect and condolences to her family.

IN REMEMBRANCE OF ANNE STARR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in remembrance of Anne Starr, and in recognition of her dedication to her family, her country and her community.

Mrs. Starr was born in California, Pennsylvania and moved to the Cleveland area in the early 1920s. Both she and her husband, William, were active in the veterans community in the greater Cleveland area. By setting an example of leadership and civic participation, they taught their children the importance of community involvement. Her son, Gary Starr, learned that lesson well, and has served as mayor of Middleburg Heights since 1981. It was through Mrs. Starr's orchestrations that Gary got an early taste for politics. A lifelong ''Roosevelt Democrat,'' Mrs. Starr arranged for her son Gary to get credentials at the Republican National Convention in Miami in 1968 when Gary was 17 years old and visiting extended family in Florida. Through that experience, Gary met all the national news anchors of the day and formed a lifelong interest in politics himself. Later, Anne was active in all of Mayor Gary Starr's election campaigns.

Mrs. Starr belonged to the Lions Club and to the Women's Auxiliary of American Legion Post 703 in Parma and Middleburg Heights. She was a founding member of the Middleburg Heights Veterans Memorial, which stands in front of the Middleburg Heights community center. In 2004, I, along with the Cuyahoga County Commissioners, U.S. Senator GEORGE VOINOVICH, Ohio State Senators Dan Brady and Doug White, and Ohio Representative Timothy DeGeeter, recognized Mrs. Starr for her outstanding service and leadership in founding the Memorial. She sold many of the bricks that comprise the Memorial, with each brick displaying the name of a local veteran. Mrs. Starr was also recognized by the Middleburg Heights Chamber of Commerce during the city's annual Salute to the City Celebration for her significant contributions to the community of Middleburg Heights.

Madam Speaker and colleagues, please join me in celebrating the life of Anne Starr, who

committed her life to serving her family, her country and her community. May her life serve as an example to us all.

HONORING DEREK SCHIRMER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Derek Schirmer of Gladstone, Missouri. Derek is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1247, and earning the most prestigious award of Eagle Scout.

Derek has been very active with his troop, participating in many Scout activities. Over the many years Derek has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Derek Schirmer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING STACY PRATER FOR SELFLESS ACT

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. LINCOLN DAVIS of Tennessee. Madam Speaker, it was nearly 100 years ago that the so-called ''Central Powers'' of Europe opposed the free world in what would become the first of two World Wars. In the midst of our fight against Germany and her Allies at the beginning of the 20th century, one of Fentress County, Tennessee's most famous sons earned a Medal of Honor, and his place in history.

Sergeant Alvin C. York exemplifies perhaps the most common understanding of what a hero embodies: an individual who answered the call of duty and risked themselves for the betterment of others. However, it is the lesser known heroes that I rise today to commend.

Stacy Prater of Pikeville, Tennessee, probably did not have thoughts of heroism in mind as he traveled home from work a few weeks ago. But, when he noticed that the car in front of him was on fire, Stacy stepped in to help the driver and her three children get to safety. With the driver and two children safely out of the vehicle, Stacy rushed into the fire to rescue a third child from a safety seat completely surrounded by flames. Using only a pair of scissors, Stacy released and pulled the child safely out of the vehicle. Through Stacy's efforts, all three children and their mother survived the unexpected incident.

History will probably not remember Stacy, or countless others like him, as it remembers Alvin York. Stacy acted this month not for the glory of heroism, but for what it means to the survivors of that fire. I am proud today to commend Stacy's selfless service, and to commemorate a hometown hero who deserves our continued thanks and appreciation.

HONORING SAINT LUKE CHRISTIAN METHODIST EPISCOPAL CHURCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KILDEE. Madam Speaker, I rise today to pay tribute to the Saint Luke Christian Methodist Episcopal Church as the congregation celebrates the 75th anniversary of the Church's founding. A celebration was held in Saginaw, Michigan on May 31st in honor of this momentous occasion.

Saint Luke Christian Methodist Episcopal Church was founded in 1933 by King Wicker, Otha Wicker, Mildred Wicker, Alton Wicker, Margaret Wicker, Jerry Wicker, Odessa Fields, Bobbie Lou Anthony, Irene Blunt, Robert Taylor, and Reverend S.J. Scott. Shortly thereafter Reverend S.J. Elliott became the first appointed pastor and was active in developing and organizing the Saint Luke congregation. Under Reverend Elliott's pastoral guidance Saint Luke built its first Church where members could gather and worship.

In 1955 the congregation was expanding and they began to look for a new home. The prayers and hard work of the membership were successful and they purchased the Church and parsonage on Tuscola Street in June 1958. Through the hard work and generosity of the congregation, the mortgage was paid in full and burned in a joyous celebration on October 19, 1969. Over the years the congregation has added a new organ, a communion rail, a grand piano, a furnace, air conditioning and the Church and parsonage underwent extensive renovation.

While the physical structure of Saint Luke has changed, the congregation of Saint Luke Christian Methodist Episcopal Church has not wavered from its purpose—faith and devotion to God. Under the leadership of Reverend James C. Hendricks, Saint Luke has embraced the motto, ''From Good to Great—Generation of Excellence.'' Through the guidance of Reverend Hendricks, the members are inspired to meet the daily challenges of life with vision and courage.

Madam Speaker, I ask the House of Representatives to join me in applauding the clergy, staff and congregation of Saint Luke Christian Methodist Episcopal Church. For 75 years they have brought praise and honor to Our Lord, Jesus Christ, and may He continue to bless them for many, many years to come.

REAFFIRMING SUPPORT FOR THE GOVERNMENT OF LEBANON UNDER PRIME MINISTER FOUAD SINIORA

SPEECH OF

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 2008

Ms. MOORE of Wisconsin. Mr. Speaker, I certainly share the concerns of the proponents of this resolution regarding the need to bring peace to Lebanon. I also add my voice in opposition to the use of violence against innocent civilians for any reason. It is wrong. I have always condemned such acts and certainly want to express my condolences to those killed, injured, or otherwise affected by the recent fighting.

I have been to Lebanon. I have talked to Parliamentarians in that country about the needs of that country. I have also supported a series of resolutions since coming to Congress expressing strong support for restoring and respecting Lebanon's sovereignty, disarming militias, and allowing the Lebanese people and their representatives to direct the affairs of the country without outside influence from any quarter.

My concern with this resolution is that it does nothing to bring the fighting to an end or to achieve any of its goals that it intends to advance, especially in light of recent events. Instead of writing resolutions that make Congress feel good, at this time the U.S. should be supporting and cooperating with countries in the region working to actually bring an end to the violence and putting Lebanon on track to resolve the political paralysis that has gripped the country.

I did not vote for this measure because I believe it does not move us forward in helping to bring peace to the region, especially in light of recent events that saw the Arab League and Qatar in particular take leading roles in actively working diplomatically to end the violence. While this resolution was pending a vote before the House, the Lebanese parties including the Lebanese government and its Arab neighbors were hammering out an agreement to resolve the political crisis fueling the recent violence which has crippled the country.

I have included a copy of New York Times articles on these regional efforts well as another article outlining the announcement by Israel of its negotiations with Syria using Turkey as a mediator. Nothing guarantees that these talks will succeed but it certainly shows that some of the parties most affected by violence in the region are tired of empty rhetoric and are willing to sit down and engage in diplomacy to prevent there country from returning to civil war.

Now is an opportunity to encourage the Lebanese and others in the region to build on these efforts to defuse tensions and begin to take a positive way forward. According to the reports, the Lebanon agreement was reached—not because of the Congressional resolution—but because the Lebanese parties, with the help of their neighbors in the region, sat down at the negotiating table to try and save their country from civil war.

According to these reports, the agreement addresses some of the issues that have polarized and paralyzed Lebanon and also makes clear that all parties ''commit themselves not to use weapons or violence in order to achieve political gains under any circumstances.''

While the agreement is not perfect and it remains to be seen whether it will change the situation on the ground, it has received the endorsement of all parties, Saudi Arabia, the U.N, and even the Bush Administration. The agreement will not resolve all the pressing problems in Lebanon but it helped check the most pressing of the moment: a slow march back to civil war.

While many Lebanese were expressing relief at this news and returning to deserted streets in Beirut, the House was voting on a resolution which had been eclipsed by events

on the ground. Rather than amending the resolution to reflect new developments in the region and to support diplomatic to put an end to the violence, the only option presented to the House was a vote on a resolution that proposed no new solutions. Given the opportunity to vote on an amended resolution supporting the work of regional actors and the Lebanese government to find a solution, I would have gladly joined my colleagues.

Because of the diplomatic intervention by Qatar and others, we now have a ''ceasefire'' and a possible way out of the cycle of violence that has torn this nation apart.

The U.S. should continue to support the democratically elected government of Prime Minister Fouad Siniora and can do so by supporting diplomatic efforts by all parties to end the political crisis underlying the violence.

The head of Lebanon's U.S.-backed Army is Michel Suleiman—who oversaw the Army's deployment in the south under the U.N. resolution which halted the Hezbollah-Israel war in 2006. Suleiman, who will become the country's President under the agreement, recently stated that ''I cannot save the country alone. This mission requires the efforts of all.'' I hope rather than passing outdated resolutions, the Administration and Congress will rally along with others to provide the diplomatic and other support needed by President Suleiman and the Lebanese people to make the most of this opportunity.

Now Lebanon has another chance to repair itself. Let's not waste it.

[From the New York Times, May 22, 2008]

ISRAEL HOLDS PEACE TALKS WITH SYRIA

(By Ethan Bronner)

JERUSALEM.—Israel and Syria announced on Wednesday that they were engaged in negotiations for a comprehensive peace treaty through Turkish mediators, a sign that Israel is hoping to halt the growing influence of Iran, Syria's most important ally, which sponsors the anti-Israel groups Hezbollah and Hamas.

Senior Israeli officials from Prime Minister Ehud Olmert's office and their Syrian counterparts were in Istanbul on Wednesday, where both groups had been staying separately, at undisclosed locations, since Monday. The mediators shuttled between the two. Syria and Israel have not negotiated this seriously in eight years.

Syria's motives are clear: it wants to regain the Golan Heights, captured by Israel in the 1967 war, and to re-establish a relationship with the United States, something it figures it can do through talks with Jerusalem.

For Israel—which has watched the Palestinian group Hamas take over Gaza and gain ground in the West Bank, and the Lebanese group Hezbollah display raw power in Beirut—an effort to pull Syria away from Iran could produce enormous benefits. An announcement on Wednesday of a peace deal that gives Hezbollah the upper hand in Lebanon's government probably added to Israel's sense of urgency.

The American government opposed Israeli-Syrian negotiations because they feared that such a negotiation would reward Syria at a time when the United States is seeking to isolate it for its backing of Hezbollah and its meddling in Lebanon, Bush administration and Israeli officials said. The United States yielded when it became clear that Israel was determined to go ahead, they said.

The talks come less than a week after President Bush, speaking to the Israeli Parliament, created a stir by criticizing those who would negotiate with ''terrorists and radicals.'' Mr. Bush's remarks have become an issue in the American presidential campaign because they were widely perceived as a rebuke to Senator Barack Obama, the Democratic front-runner.

Turkey, a Muslim country and member of NATO, is a close ally of the United States. It is also Syria's neighbor and has an interest in securing regional peace.

The Turkish prime minister, Recep Tayyip Erdogan, has been working on convening negotiations for some time, an official in his office said, including holding phone conversations with leaders on both sides, and assigning a special envoy to handle the diplomatic back-and-forth. The fact that messages were being exchanged has been public for a couple of months, because of official Syrian statements.

The senior Israeli official said that shortly after Mr. Olmert became prime minister more than a year ago, he went to Turkey and held a long one-on-one meeting with Mr. Erdogan in which it was decided that Turkey would mediate between Israel and Syria.

Efforts to sign a treaty with Syria have often competed with those to build a comprehensive peace with the Palestinians. On Wednesday, Israeli officials tried to make clear that they were not seeking to upstage an important conference opening in Bethlehem—an attempt to make stability easier in the West Bank through economic investment—by saying that both tracks remained vital to them.

While Wednesday's announcement indicated the first real progress on the Israeli-Syrian front in years, and while both sides have clear goals and motivation for success, there is equally good reason for skepticism about the possibility of success.

Mr. Olmert is politically weak, with a thin parliamentary majority partly dependent on the right-wing religious Shas party. He faces a criminal investigation that many Israelis believe should lead him to step down or refrain from undertaking negotiations with the country's enemies. Moreover, twice before, under Prime Ministers Yitzhak Rabin and Ehud Barak, similar efforts to sign a deal with Syria failed.

In Israel, two-thirds of the public oppose a return of the Golan Heights to Syria, according to numerous opinion polls, and many strategists and generals have said that giving up the strategic advantage of the Heights in exchange for promises or even written treaties makes no sense.

''In a period in which Iran is on the march and extending its influence from Lebanon to Iraq, for Israel to consider giving up the Golan barrier would be a strategic error of the highest order,'' said Dore Gold, president of the Jerusalem Center for Public Affairs and a former official and adviser to conservative governments under the Likud Party, which is now the opposition.

''You have to make a cold assessment whether Israel could drive a wedge between Syria and Iran,'' Mr. Gold said. ''Unfortunately, in the present period, Iran has Syria within its grip to a far greater extent than it did in the 1990s when previous negotiations with the Syrians were held.''

On the other hand, many other Israeli officials and analysts see great benefits for Israel. Syria is a prime sponsor of Hezbollah and provides it with rockets and arms, many from Iran. Hamas and Islamic Jihad have headquarters in Damascus, and Israel will seek, in these negotiations, to have them closed.

To pull Syria out of the orbit of Iran and return it to the more pro-Western world of Egypt, Jordan and even Saudi Arabia would be a major victory for Israel.

A real peace treaty with Syria would bring Israel significant advantages in Lebanon and the Palestinian territories.

After the midday announcement here of the existence of the talks, the Israeli airwaves were filled with officials of the right and center expressing skepticism about the outcome and saying that Israel should not leave the Golan Heights. Politicians of the left, though, expressed hope.

Ran Cohen, a member of Parliament from the dovish Meretz Party, told Israel Radio: ''I think this move is very important, very positive. It's too bad it did not begin a long time ago.''

Others said they feared that the announcement was an attempt to divert attention from Mr. Olmert's legal troubles.

''I very much welcome any process that can advance peace between us and our neighbors, first and foremost with Syria,'' said Eitan Kabel, secretary general of the Labor Party, which is in the government with Mr. Olmert's Kadima Party. ''I very much hope this isn't some sort of spin whose goal is pull a screen over the situation that the prime minister is in.''

In the past, the sticking point in negotiations has been whether yielding the Golan to the Syrians gave them sovereignty all the way to the waterline of the Sea of Galilee. The Syrians say yes, but the Israelis have said no, fearing the loss of water rights and full access to the lake.

[From the Herald Tribune, May 22, 2008]

AGREEMENT STRUCK IN LEBANON TO END POLITICAL CRISIS

(By Robert F. Worth and Nada Bakri)

BEIRUT, LEBANON.—The agreement reached by Lebanese political factions early Wednesday amounted to a significant shift of power in favor of the militant Shiite group Hezbollah and its allies in the opposition, who won the power to veto any cabinet decision.

The sweeping deal to form a new government promised an end to 18 months of political deadlock here, and underscored the rising power of Iran and Syria, which have backed Hezbollah in a proxy battle against the governing coalition and its American and Saudi allies.

Government leaders said they had given way on major provisions because they felt the alternative to an agreement was war. They also said they won a pledge that no faction would use its weapons internally, as Hezbollah and its allies did during street battles this month in the worst internal fighting since Lebanon's 15-year civil war.

''We avoided civil war,'' said Walid Jumblatt, a leader of the governing coalition. He added that the agreement called for a future dialogue on weapons, a clause that he and other government leaders hoped would eventually allow them to raise the issue of Hezbollah's arsenal.

The agreement was brokered by Arab mediators in Doha, Qatar, and involved intensive last-minute diplomacy among the major regional players in Lebanon, including Syria, Iran and Saudi Arabia. Before the agreement, an Iranian adviser assured Saudi officials that Iran did not want a confrontation with Arab nations, said an adviser to the Saudi government, who spoke on the condition of anonymity because he was not authorized to comment publicly. Iran agreed to use its influence to prevent Hezbollah from entering Sunni Muslim areas of Lebanon, the adviser said; such incursions occurred during the clashes two weeks ago.

The agreement specifies a new government and a new election law, ending an 18-month opposition sit-in that had suffocated business in Beirut's downtown commercial center. It also calls for the election of the army chief, General Michel Suleiman, as president. The post has been vacant since November.

But the deal leaves unresolved the questions that provoked the crisis in December 2006. Those include Hezbollah's weapons and Lebanon's relations with Syria, which ended its 29-year military presence here in 2005 after the assassination of former Prime Minister Rafik Hariri.

The divisive issue of cooperation with a United Nations tribunal to investigate Hariri's murder and 10 other killings that followed also remains to be solved. Pro-government officials accuse Syria of involvement in those assassinations.

The governing coalition hailed the new pact as a fair compromise, as did officials in Syria, Iran, Saudi Arabia, and France.

In Washington, the Bush administration portrayed the agreement as a good step. C. David Welch, the assistant secretary of state for Near Eastern affairs, said that the deal could make Syria's eventual return to Lebanon impossible. He contended that the fighting had so damaged the images of Hezbollah and Syria as its backer that Lebanon's Sunnis and Christians would not welcome Syria back.

In the past, the United States has urged the government majority to take a firm stand in its conflict with the Hezbollah-led opposition.

Many Lebanese voiced relief at the news that their country's long political stalemate appeared to be over. Crowds flooded happily into the usually empty downtown on a warm afternoon, and many shops that had been closed for more than a year were reopening. The tents where opposition members had camped out for 18 months were slowly being dismantled, with people packing their gear into pickup trucks.

''We came here to celebrate; it's a dream coming true,'' said Chadi Ahmadieh, 32, who works at Solidere, the company that rebuilt the downtown area. But he added: ''This solution is like a shot of anesthesia that will at least get us through the summer. There are still differences over many issues.''

The agreement was announced as Israel acknowledged that it was involved in indirect talks on a possible peace deal with Syria brokered by Turkey. That fueled speculation that the two developments were linked, though officials involved in the Doha talks said they knew of no connection.

But some analysts said Hezbollah's decision to assert itself militarily this month might have been partly based on a calculation that it could be endangered by a deal between Israel, its nemesis, and Syria, its backer.

''Hezbollah's decision to use force might have been partly motivated by a fear that Syria and Israel were going to make peace, and that it had to consolidate its power in Lebanon before that happened,'' said Paul Salem, the director of the Carnegie Middle East Center in Beirut.

The agreement in Doha provides for a government of 16 cabinet seats for the governing majority, 11 for the opposition and 3 to be nominated by the new president. That will allow the opposition to veto cabinet decisions, a demand the governing coalition refused to accept until now.

Heated last-minute negotiations over how to reshape Lebanon's electoral districting system which will significantly influence power-sharing after the 2009 parliamentary elections led to a compromise that divides the country into smaller districts, allowing for more equal representation of its various sects.

Several Lebanese government officials said they felt they had no choice but to accept the deal. Although their side has long had strong verbal support from the United States and Saudi Arabia, they appeared to have overplayed their hand earlier this month when they challenged Hezbollah's private telecommunications network and its control over the Beirut airport.

Hezbollah's leader, Sheik Hassan Nasrallah, declared those government decisions an act of war, and the group sent its fighters and their allies into the streets on May 7. Within a day, the Shiite group had seized most of west Beirut. The violence continued in northern and eastern Lebanon, leaving at least 62 people dead and threatening to push the country into an open war.

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5658) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes:

Mr. ISRAEL. Mr. Chairman, this amendment is very simple. Essentially, it suggests a small step DOD can take to make itself more energy efficient. The amendment requires the Secretary of Defense to conduct a study reviewing DOD's policies concerning the sale and disposal of used motor vehicle lubricating oil. The report will include an evaluation of the feasibility of implementing policies to require closed loop recycling of used oil as a means of reducing total indirect energy usage and greenhouse gas emissions.

And to the extent that the report finds that closed loop recycling can reduce total indirect energy usage and decrease greenhouse gas emissions without significant increase in overall cost to DOD, it asks the Secretary to implement closed loop recycling of used oil when feasible.

Re-refining, or recycling, allows used oil that would otherwise be burned or dumped to be refined again and used for its originally intended purpose, just as when it was virgin oil. According to the American Petroleum Institute, re-refining used lubricating oil takes from 50 to 85 percent less energy than refining crude oil. Re-refined oil meets industry standards for use in vehicles. And according to a July 2006 report by the Department of Energy, ''transforming all used oil that is currently combusted into lube oil products could save 63 million gallons of fuel oil equivalent per year.''

Through closed loop recycling, DOD would buy re-refined oil for use in its vehicles, sell their used oil back to re-refiners to be recycled, and then continue the cycle.

I should also note that nothing in this amendment changes or affects the Solid Waste Disposal Act or any other Federal or State environmental law, or the obligation of any person to comply with that law.

This amendment is a win-win. By recycling used motor oil, DOD decreases its reliance on our adversaries to keep its vehicles running. DOD conserves energy by extending the life of a nonrenewable resource. And greenhouse gas emissions are decreased.

DOD already uses some re-refined oil and it even has a closed loop re-refined oil program. Expanding these programs is one small way the military can reduce its overall reliance on foreign oil. As the largest single consumer of energy in the United States, it is a step that I believe DOD should consider taking.

IN HONOR OF KEN LIVINGSTONE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Ken Livingstone, former Mayor of London, and in recognition of his outstanding leadership, vision and advocacy on behalf of the many diverse communities that make up London's social fabric.

Ken Livingstone carries with him a rich history of public service and advocacy in England. Mayor Livingstone was born in Lambeth, London, England, in 1945. He began his political career in 1973 when he became a Labour member of the Greater London Council (GLC). While serving as leader of the GLC from 1981 to 1986, Mr. Livingstone fought against discrimination, and in 1985, sat beside Jesse Jackson at an Anti-Apartheid rally. In 1987, following his career as leader of the GLC, Mr. Livingstone served as the Labour Member of Parliament for Brent East for 14 years.

In 2000, Mr. Livingstone was elected as the Mayor of London, the first person to hold this office and he would serve in that position until May 2008. As the first Mayor of London, a truly international city that attracts people from all over the world, he continued his legacy of challenging all forms of discrimination and of fostering multiculturalism. He enthusiastically celebrated London's multiculturalism by hosting several city wide events, such as a Hanukkah ceremony at City Hall. He also honored the contributions of England's Irish community by hosting a Saint Patrick's Day festival and celebrated the end of Ramadan with London's Muslim community by hosting the ''Eid in Traflagar'' event.

During the June 2005 London bombings, he demonstrated his leadership by initiating several campaigns dedicated to fostering intercultural understanding and united London's unique and diverse social fabric. Mr. Livingstone is also the author of two books, If Voting Changed Anything They'd Abolish It and Livingstone's Labour.

Madam Speaker and colleagues, please join me in honor of former Mayor Livingstone as a champion of human and civil rights and in recognition of his leadership and advocacy on behalf of London's diverse communities.

HONORING PARKER CHRISTIAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Parker Christian of Gladstone, Missouri. Parker is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1354, and earning the most prestigious award of Eagle Scout.

Parker has been very active with his troop, participating in many Scout activities. Over the many years Parker has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Parker Christian for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5658) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes:

Mr. PORTER. Mr. Chairman, Chairman SKELTON and Ranking Republican HUNTER, I rise in support of my Amendment to H.R. 5658, the Duncan Hunter National Defense Authorization Act of 2009 which has been included as part of an en bloc amendment. My Amendment requires the Secretary of Defense to conduct a study to identify the mental health risks associated with the performance of individual military duties. This assessment will recognize cases of suicide by military occupation, and identify military occupations with a high incidence of suicide. More importantly the study shall suggest additional suicide prevention programs specific to military occupations with higher risk.

To my knowledge, the issue of differing suicide risks amongst military occupations has not been studied in any great depth. Colonel Michael Bartley of Nellis Air Force Base and Colonel Chris Chambliss of Creech Air Force Base have highlighted for me the unique mental health challenges that members of our military face who are on the front lines of the Global War on Terror, but located here in the States. The State of Nevada is home to Creech Air Force Base which serves as the premier host for MQ–1 Predators and MQ–9 Reapers Unmanned Aerial Vehicles (UAVs).

The operator of a UAV fleet is truly at the forefront of the Global War on Terror. I am greatly concerned that some military occupations, such as UAV operators, may suffer from chronic mental health disorders such as Post Traumatic Stress Disorder (PTSD) due to stress and fatigue. I feel these soldiers may not receive the same level of emotional support from their peers that they would receive if they were located overseas. Rather, they return to their families and civilian society without the appropriate outlet for dealing with the emotional tolls of their duties.

It is my hope that the Secretary of Defense will continue to address the pressing matter of the mental health strains inflicted upon our active duty service men and women. This study will help us begin to understand how the new technologies that allow us to wage wars more effectively, bring about unforeseen complications for the service men and women who volunteer to serve our Nation. I encourage my colleagues to support this common sense amendment that will provide the mental health services needed by the 21st Century war fighter.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 353 I was unvoidably detained and missed rollcall vote No. 353. Had I been present, I would have voted "yea."

CONGRATULATING ARCADIA UNIVERSITY ON THE OCCASION OF THE 60TH ANNIVERSARY OF ITS STUDY ABROAD PROGRAM

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. SCHWARTZ. Madam Speaker, I rise today to congratulate Arcadia University on the occasion of the 60th anniversary of its successful Study Abroad Program.

In the summer of 1948, Jack Wallace, a newly hired economics instructor, and his wife, Betty Jean set sail from New York with 17 Beaver College (now Arcadia University) students, hoping to study the economic effects of World War II and the post-war rebuilding efforts in Europe. They arrived in Southampton and purchased used Royal Air Force surplus bicycles. After traveling around England, they crossed the Channel and continued biking through Belgium and France, ending their eight-week sojourn in Paris. Such faculty-led summer study voyages to Europe continued for several years.

In the 1960s, the university began offering access to its study abroad programs during the regular semester at City of London College to students from other colleges. "Full credit for work done in England was readily accepted by Beaver College for each participant," notes the University history, "and an institution was born-the Beaver College Center for Education Abroad." Accredited accounting for course credits remains a cornerstone of Arcadia's Center for Education Abroad today, along with a worldwide network of professional employees, including in-country staff in host countries that support students while they are abroad.

This year, Jerry Greiner, Arcadia's President, will commemorate that landmark trip's 60th Anniversary in July 2008. In addition, the University will introduce a new curriculum that emphasizes multi-cultural experience and reflection. In addition to the hundreds of Arcadia students who study abroad each year, the Center now serves 3,000 students a year from more than 300 colleges and universities. And what began at City of London College is now a menu of more than 100 programs around the world, expanding recently to Africa, to China and soon to India.

I commend Arcadia University for providing opportunities for young leaders to learn about the world and connect with students in other countries and I congratulate the University on reaching the 60th anniversary of its nationally acclaimed international program.

TRIBUTE TO STAFF SERGEANT PRINCEY GEORGE PINDER

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. MEEK of Florida. Madam Speaker, today I rise to honor an American soldier who served 1 year in Iraq at Camps Ramadi and Fallujah while on a mission to look for roadside bombs. Army SSG Princey George Pinder's unit was hit four times, and miraculously they all survived the impact.

Born in Nassau, Bahamas, SSG Pinder is the fifth child born to Viola Pinder and Frank Greene. He graduated from A.F. Adderley High School and went on to be enlisted in the Royal Bahamas Police force in 1983, where he received an honorable discharge in 1994. He continued his higher education and received an associate degree from Miami Dade College, bachelor's degree in Christian education and is currently pursuing a bachelor's degree in criminal justice from Florida International University. He holds various leadership training certificates from the U.S. Army as a combat engineer.

For over 18 years SSG Pinder has served as the co-founder and senior pastor of Baruch Christian Fellowship Ministries, Inc. in Miami-Dade County. He has also served as vice-president director of a juvenile delinquency and ex-offender mentorship program named Destiny Image Review Network for 14 years, as well as co-founder of Baruch Leadership Training Academy.

SSG Pinder enlisted in the Army in January 1997, and was deployed to Iraq in March 2003. His second deployment took place in May 2007. SSG Pinder currently serves as a reservist army staff sergeant in Camps Ramadi and Fallujah, Iraq with the 841st Charlie Company from Perrine, Florida. Upon return he will continue his employment as a motor compliance officer with the Florida Department of Transportation.

Madam Speaker, SSG Princey George Pinder represents the best our Nation has to offer. He volunteered to serve our Nation in uniform and to protect our freedom and liberty. For this, his family, friends and loved ones know that this Congress will always remember his bravery and commitment in battle.

TRIBUTE TO SUMMIT FIRE VICTIMS

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. HONDA. Madam Speaker, I rise today to express my condolences to those affected by the Summit Fire in the Santa Cruz Mountains on the Santa Clara/Santa Cruz County line, which thankfully has not claimed lives,

but destroyed 36 residences and 18 outbuildings. Over 3,000 personnel from across the State were summoned to fight the fire which burned more than 4000 acres. My heart goes out to the 12 firefighters who were injured during the response and their families. I want to commend Governor Schwarzenegger, the California Office of Emergency Services, Cal Fire, the Santa Clara and Santa Cruz County Sheriff's Departments, the Air National Guard, the National Oceanic and Atmosphere Administration and the countless first responders for their swift response to the fire. I especially want to thank Cal Fire Division Chief Joe Waterman and Tom Maruyama, Deputy Director of Response and Recovery for Office of Emergency Services for briefing me on the fire containment plan and the State's response and recovery efforts. The seamless communication between ground and air crews from various local agencies and departments further exemplifies California as a model State for disaster response and interoperability.

I and my esteemed colleague Rep. ANNA ESHOO are closely monitoring the recovery effort and remain in close contact with State authorities. We are hopeful that the rebuilding process can begin and that the residents of the affected areas will be able to resume their normal activities.

PERSONAL EXPLANATION

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. CARTER. Madam Speaker, on rollcall No. 355, on agreeing to the Akin amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, I was unavoidably absent due to a family medical emergency. Had I been present, I would have voted ''no''; on rollcall No. 356, on agreeing to the Franks, AZ, amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''aye''; on rollcall No. 357, on agreeing to the Tierney amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 358, on agreeing to the Pearce amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''aye''; on rollcall No. 359, on agreeing to the Lee amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 360, on agreeing to the Braley amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 361, on agreeing to the Price, NC, amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 362, on agreeing to the Holt amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 363, on agreeing to the McGovern amendment to H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''no''; on rollcall No. 364, on the motion to recommit with instructions H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''aye''; on rollcall No. 365, on passage of H.R. 5658, the Department of Defense Authorization Act, 2009, had I been present, I would have voted ''aye''; and on rollcall No. 366, on the motion to suspend the rules and agree to H. Res. 986, Recognizing the courage and sacrifice of those members of the United States Armed Forces who were held as prisoners of war during the Vietnam conflict and calling for a full accounting of the 1,729 members of the Armed Forces who remain unaccounted for from the Vietnam conflict, had I been present, I would have voted ''aye.''

IN RECOGNITION OF CUYAHOGA COUNTY COMMUNITY COLLEGE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Cuyahoga County Community College, Ohio's oldest community college, as the college hosts this year's Memorial Day Celebration along with the Memorial Day Association of Greater Cleveland.

Cuyahoga County Community College (Tri-C) opened in 1963 and now serves more than fifty-five thousand credit and non-credit students each year. Tri-C provides students with a first-rate education environment with professors who are committed to their success at their three traditional campuses. Tri-C also offers students the option to earn their associate degree, participate in certificate programs and complete two years of a baccalaureate degree at two Corporate College locations, over fifty off-campus sites, and through various distance learning options.

Cuyahoga County Community College is one of the premier sites for many of the major cultural, community and sporting events that more than five-hundred thousand Greater Cleveland Area residents attend throughout the year. The college hosts one of the nation's largest educational Jazz festivals, Tri-C JazzFest Cleveland. This year the college hosts the annual Memorial Day Celebration, State Senator Robert F. Spada as the guest speaker, who has been representing Ohio since 1999.

Madam Speaker and colleagues, please join me in recognizing Cuyahoga County Community College as they host this years Memorial Day Celebration and for the college's contributions to the Greater Cleveland Area.

HONORING KYLE ROWLAND

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle Rowland of Buckner, Missouri. Kyle is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1082, and earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many Scout activities. Over the many years Kyle has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kyle Rowland for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO MR. SIDNEY LAPIDUS

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mrs. LOWEY. Madam Speaker, I rise today to recognize the accomplishments of Mr. Sidney Lapidus and to congratulate him on receiving the Emma Lazarus Statue of Liberty Award. Mr. Lapidus's deep commitment to the American Jewish Historical Society has ensured that its collection is preserved and expanded for generations to come.

A graduate of Princeton University and Columbia University Law School, Sidney began his career as an attorney with the Securities and Exchange Commission in New York. A retired partner at Warburg Pincus LLC, one of the country's leading private equity firms, Sidney also serves on the boards of directors of Lennar Corporation, one of the Nation's largest homebuilders; Knoll Inc., a leading manufacturer of office furniture; and the Neiman Marcus Group, a leading upscale retailer.

Sidney contributes to and advocates on behalf of a number of charitable causes, several of which concern American history and Jewish affairs. He served as president of the American Jewish Historical Society from 2003 to 2007 and is now its chairman. He is a member of the advisory councils for Princeton University's History and Judaic Studies Departments. He is also a vice chairman of the American Antiquarian Society and is a trustee of the New York Historical Society. In other areas, he is chair of the United Neighborhood Houses of New York and a member of the executive committee of New York University School of Medicine.

Mr. Lapidus has balanced his distinguished career and philanthropic work with an equally impressive family life. He and his wife, Ruth, live in Harrison, New York. They have three married children—Gail, Janet and Roy—and six grandchildren—Sara, Eric, Kate, Henry, Jessica, and Zack. An avid skier, Sidney also collects British and American books about politics and economics from the 17th and 18th centuries.

Madam Speaker, I am proud to recognize my good friend Mr. Sidney Lapidus for a successful career in finance and unparalleled devotion to charitable causes. I urge my colleagues to join me in honoring his tremendous accomplishments.

TRIBUTE TO THE SILICON VALLEY LEADERSHIP GROUP ON THE OCCASION OF ITS 30TH ANNIVERSARY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. ESHOO. Madam Speaker, it is a privilege to celebrate the 30th anniversary of the Silicon Valley Leadership Group, SVLG, and its contributions to Silicon Valley and the State of California with you.

On July 18, 1977, the exceptional innovator and pioneer, David Packard, gathered thirty of his CEO peers with a simple yet provocative idea. To build an organization that would create a proactive voice for Silicon Valley businesses to ensure the economic health and a high quality of life in Silicon Valley. The organization would be an advocate for affordable housing, comprehensive regional transportation, reliable energy, a quality K–12 and higher education system, a prepared workforce, a sustainable environment, and business and tax policies that would keep California and Silicon Valley competitive.

The idea led to the founding of the Silicon Valley Manufacturing Group, now know as the Silicon Valley Leadership Group, in 1978 with 33 founding members. The first Chair of the Board was Bob Wilson of Memorex and the first Working Chair was Bob Kirkwood of Hewlett Packard. David Packard accepted a seat on the Board and the position of Board Vice Chair. The first president was Bill June and Peter Giles was then hired as CEO. Over the course of the last thirty year's David Packard's vision became a reality and there are many examples of success to highlight, including but not limited to the following:

In 1981, SVLG published its first housing study, emphasizing the need for a jobs-housing balance, and urges public officials to rezone land from industrial and commercial to residential. The report also called for more compact development to help lower housing costs and make better use of the Valley's limited land resources, and to place housing more closely to jobs. Several cities agreed, and thousands of acres are re-zoned for residential development.

In 1982, the Board of Directors helped lead the effort to establish Santa Clara County's first carpool, or ''high occupancy vehicle'' lane on the San Tomas Expressway. Measure A becomes a statewide model of efficiency, with all three projects completed on time and on budget during the measure's 10-year life. Following the lead of Santa Clara County, 19 counties representing nearly 85 percent of all Californians have since passed similar measures. These measures now fund $1 of every $2 invested in the state's transportation system.

1988—Model Toxic Gas Ordinance—The ordinance was aimed at any gas user, private and public sector, to respond to increased concern about the potential release of toxic gases.

1989—Board Endorses Gas Tax Increase—The Board of Directors voted to support Proposition 111—a nine-cent increase in the state gas tax to fund transportation improvements.

1990—Chlorofluorocarbon Reduction—The Board of Directors voted to play a leadership role in reducing CFC's. Silicon Valley high-tech firms became the national leaders in reducing this form of pollution.

1990—Open Space Initiative—Founder David Packard agrees to serve as Honorary Chair of the county's first Open Space Initiative. The measure receives a strong 64 percent support at the polls, but fails under the two-thirds vote requirement. However, it set the stage for the successful measure 4 years later.

1993—Housing Action Coalition Formed—The purpose of the coalition was to advocate for homes that are ''well built, relatively affordable, and appropriately located'' so that Valley cities could service them. With a mission to ''advocate, educate, and legislate,'' the coalition has had a tremendous impact. Today, the coalition consists of more than 200 organizations and individuals.

1993—Board Endorses County's ''Technology Bond'' Proposal—In partnership with the county member companies purchased approximately $12 million in ''technology bonds'' to help the county improve and install technology systems throughout its departments.

1995—Vehicle Buy-Back Coalition Scraps Old Polluting Cars—This innovative demonstration project raises nearly half a million dollars to purchase and permanently retire more than 400 ''gross polluters,'' with a reduction in pollution of more than 400 tons. The demonstration project was so successful that it becomes a model for the Air District's own Buy-Back program.

1997—Eco Pass Partnership Initiated—SVLG is principal business voice in encouraging employers to consider the ''Eco Pass'' Program. The Eco Pass is a transit pass that employers can purchase for their Silicon Valley employees, allowing them the use of buses, express buses, and light rail for the entire year. The first year demonstration program produced a doubling of transit use by employees at participating companies. SVLG also launched the Bay Area Clean Air Partnership—Partnership to engage employers and employees in voluntary programs to reduce pollution on hot, smoggy ''Spare the Air'' days. In its first year of operation, thousands of vehicle trips were avoided and the region did not violate a single day of the federal Clean Air Standards.

1998—Housing Trust Fund Business Plan Approved—The Board endorses the business plan officially launching the County's first Housing Trust Fund. With a goal of raising up to $20 million over the next 24 months, the funds will leverage approximately $200 million worth of housing, with funds equally divided into three categories. They include first-time homebuyers assistance, affordable rental housing, and homeless shelter and assistance. These funds will assist nearly 5,000 Silicon Valley families.

1999—San Jose Teacher Housing Initiative—SVMG partnered with San Jose to launch San Jose's Teacher Housing Initiative, a proposal to assist San Jose teachers to become homebuyers, as well as enhancing recruitment and retention of educators in the community. SVLG also began the Summer Fellowships for Teachers—SVMG partnered with the Industry Institute for Science and Math Education (IISME) on a Summer Fellowship for Teachers program. By partnering with SVMG, the number of teacher fellowships was increased 40 percent from the highest numbers achieved in IISME's 17-year history.

1999—Creating Quality Neighborhoods—SVMG completed a 21-month study to identify every vacant (and underutilized) parcel of land that is zoned commercial, industrial, or residential. The effort will now shift to working with cities to consider the report's findings to ensure there are enough homes for Silicon Valley workers. By following the report's recommendations, the Valley could meet 99 percent of home demand during the next 10 years, rather than the current 50 percent projected if current land use patterns are followed.

2000—Statewide Transportation Plan—More than $1 billion is directed to improvements that benefit the Valley, even though Santa Clara County accounts for only 5 percent of the state population.

2002—Hetch Hetchy Legislation Passes—SVMG, in coordination with BAWUA, successfully advocated for three critical pieces of state legislation to ensure the Hetch Hetchy water system would be updated to withstand earthquakes. This vital system serves the water needs of 2.4 million Bay Area residents and employers.

2005—The Leadership Group's first Annual CEO Washington, D.C. Advocacy Trip, led by Solectron CEO Mike Cannon with 25 executive colleagues, met with 70 key members of Congress in the nation's Capitol. A new ''Middle School Math Initiative'' was reviewed by the Working Council with strong recommendation of the Education Committee. Also, the Leadership Group organized the first ''Applied Materials Silicon Valley Turkey Trot,'' with 1,900 participants; 240 volunteers and more than $132,000 raised for three local non-profits.

2006—The Board approved a 12-point ''Clean and Green'' Alternative Energy Action Plan to curb greenhouse gas emissions and impact climate change in the region.

2007—SolarTech Begins—Recognizing the growing importance of alternative energy the Leadership Group developed SolarTech. The purpose is to identify, prioritize, and resolve the technical and adoption barriers to solar technology by addressing issues of performance, standards, and workforce readiness.

Today, under the exceptional leadership of Carl Guardino, SVLG has more than 200 member companies and its members contribute more than $1 trillion to the global economy, an amount equal to the gross national product of Italy. Members of the SVLG employ more than 250,000 people in the Valley who constitute one-fourth of the entire private sector workforce in the region. They generate more than $1 trillion worth of business which is approximately eight times as large as California's entire state budget, and represents a significant contribution to the state and the national government treasuries, along with hefty property taxes for local governments.

Madam Speaker, I ask our colleagues to join us in honoring the Silicon Valley Leadership Group as it celebrates its 30 year anniversary marking its extraordinary contributions to the economic health and quality of life to the residents and businesses of Silicon Valley. We salute Carl Guardino, President and CEO, his staff and every member of the Silicon Valley Leadership Group.

HONORING DEAN REX R. PERSCHBACHER OF DAVIS, CALIFORNIA ON HIS RETIREMENT AS DEAN OF THE UC DAVIS SCHOOL OF LAW

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GEORGE MILLER of California. Madam Speaker, I rise today to recognize Dean Rex R. Perschbacher on the occasion of his retirement as the Dean of the UC Davis School of Law. Dean Perschbacher served as Dean and in the Dean's office longer than anyone in the history of the UC Davis School of Law. He served for 10 years as Dean from 1998 to 2008. Before becoming Dean, he served for five years as associate dean for academic affairs in the School.

Dean Perschbacher is best known for strengthening the 40-year-old UC Davis School of Law's reputation as one of the nation's best public law schools. Students are recruited nationwide, and the School is frequently honored for the diversity of its faculty and student body. Under his leadership, the Law School recruited 26 ladder-rank faculty members, expanded the clinical program, started a master's program in international commercial law, and established an outreach program for underserved college students—many of whom have gone on to law school.

He worked with campus, university, and state officials to secure campus and state funding for the first significant expansion to the School's facilities since the completion of the Law School 40 years ago. He built a strong foundation of alumni philanthropy and volunteerism upon which the next generation of leadership at UC Davis School of Law can expand and is credited with increasing private giving over tenfold. During his tenure, the School added five endowed chairs and professorships, bringing the total number of seats to six. He also raised more than $3 million in private donations for the building expansion and renovation project.

Dean Perschbacher taught at UC Davis since 1981 with an emphasis on the areas of Civil Procedure, Professional Responsibility, and Clinical teaching. He received the Law School's Distinguished Teaching Award in 1992 and a Special Citation Affirmative Action and Diversity Achievement Award in 2001. He has published articles in the areas of civil procedure, professional responsibility and lawyers' negotiations. He is co-author of United States Legal System: An Introduction (1st and 2d eds.); Cases and Materials on Civil Procedure (1–5th eds.); California Civil Procedure; California Legal Ethics (1–6th eds.), and Problems in Legal Ethics (3–8th eds.).

The Dean has also been involved in law school accreditation activities having served for six years on the American Bar Association's Accreditation Committee; and on two separate standing committees of the Association of American Law Schools, AALS, and two section executive committees. Currently, he is Chair of the AALS Section of the Dean. From 1990–1996, he served on the Board of Directors of the Legal Services of Northern California and two related boards. He has also served on the Governing Committee on Continuing Education of the Bar from 2000–2003.

Dean Perschbacher received his J.D. degree from UC Berkeley School of Law (Boalt Hall), where he was Articles Editor of the California Law Review and elected to Order of the Coif. After graduation, he served as law clerk to The Honorable Alfonso J. Zirpoli of the United States District Court for the Northern District of California. Later he entered private practice with Heller, Ehrman, White & McAuliffe in San Francisco. He has taught at UC Berkeley (Boalt Hall), the University of Texas, Santa Clara University, and the University of San Diego law schools.

Madam Speaker and colleagues, now is the appropriate time for us to acknowledge Dean Perschbacher for his years of work and service to UC Davis and the broader legal community. Please join me in thanking him and wishing him the very best as he enters retirement.

IN HONOR OF THE MEMORIAL DAY ASSOCIATION OF GREATER CLEVELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of the Memorial Day Association of Greater Cleveland as they remember and honor our Nation's veterans on this year's Memorial Day.

The Memorial Day Association of Greater Cleveland consists of veterans and their organizations, joining together every year to commemorate the lives of their fellow veterans who lost their lives in service to our country. These organizations invite all members of the Greater Cleveland Area community to join in their remembrance during their annual traditional Memorial Day event.

I stand in honor and recognition of all the veterans and organizations for their contributions to the community: American Ex-Prisoners of War, American Gold Star Mothers, American Legion, Amvets with Auxiliary, Army and Navy Union with Auxiliary, Catholic War Veterans, Daughters of ''98'', Daughters of Union Veterans, Disabled American Veterans, Greater Cleveland Veterans Council, Greater Cleveland Veterans Memorial Inc., Jewish War Veterans with Auxiliary, Joint Veterans' Commission of Cuyahoga County, Korean War Veterans, Military Order of the Purple Heart, Marine Corps League, Navy Seabee Veterans of America, Paralyzed Veterans of America, Polish Army Veterans Association of America, Polish Legion of American Veterans with Auxiliary, Reserve Officers Association, St. Theodosius War Veterans, Service Star Legion Veterans, Sons of the American Revolution, Sons of Spanish American War Veterans, Southwest Asia Veterans, Ukrainian American Veterans, Ukrainian Veterans Association, United Spanish War Veterans, Veterans of Foreign Military Wars with Auxiliary, Veterans of World War One and Auxiliary, Vietnam Veterans of America, Waves National, and 82nd Airborne Division Association.

Madam Speaker and colleagues, please join me in honor of the Memorial Day Association of Greater Cleveland as they commemorate Memorial Day and in recognition of these organizations' contributions to the Greater Cleveland Area.

HONORING DR. JOHN BERNARD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. STARK. Madam Speaker, I rise today to honor Dr. John Bernard on his retirement on June 30, 2008 from the Newark Unified School District. Dr. Bernard has served as Superintendent of Schools for the school district since July 2003.

A native of the Bay Area, Dr. Bernard is a product of the Oakland Public Schools, as are his three grown children. He and his wife have been married for 39 years and have five grandchildren.

Dr. Bernard has held a number of positions of leadership in various school districts throughout the state of California. He served for 4 years as Superintendent of Schools for the Novato Unified School district and for 4 years as Superintendent of Schools for the Bakersfield City School District. He also served as Director of K–12 Instruction, and later as Assistant Superintendent, in the Mt. Diablo Unified School district in Contra Costa County. Dr. Bernard began his career as an educator in the San Francisco Unified School District, where he spent 20 years as a classroom teacher, resource teacher, assistant principal, personnel administrator and principal.

Dr. Bernard earned his bachelor's and master's degrees from San Francisco State University in psychology and education administration, respectively. He earned his doctorate in multicultural education from the University of San Francisco. He continues to teach graduate courses at local universities and is often invited to speak, throughout the state, the nation and abroad, at conferences on instructional leadership, multicultural education, and education technology issues.

As Dr. Bernard retires, he leaves a legacy of outstanding experience and service to our children and the field of education. His commitment to education is noteworthy and I join the community in thanking him for his exemplary contributions.

HONORING JOSHUA DeLONG

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Joshua DeLong of Blue Springs, Missouri. Joshua is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1216, and earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many Scout activities. Over the many years Joshua has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Joshua DeLong for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

DUNCAN HUNTER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

SPEECH OF

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 2008

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5658) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2009, and for other purposes:

Ms. MOORE of Wisconsin. Mr. Chairman, I want to talk about an important topic relevant to this legislation.

It's distressing that a rising number of our brave service men and women are coming back from the conflicts in Afghanistan and Iraq suffering from the ''signature injuries of these conflicts''—Post Traumatic Stress Disorder and Traumatic Brain Injury.

I believe that PTSD is a critically important issue and as a Congress we need to continue to do all we can to get our military leaders, commanders, and medical professionals to focus on this problem for our newest generation of veterans.

In the past few years and even weeks, a number of studies have pointed out the gaps in our military health care system into which may be falling a growing number of our servicemembers who may be suffering from PTSD.

I am sure that my colleagues are very aware of the recent RAND report that up to 300,000 Iraq and Afghanistan veterans may be suffering from PTSD and/or depression.

This issue was brought to my attention most vividly by a constituent who served 10 months in Iraq. After he came home, he began to self-medicate—as a number of soldiers who may be suffering from this deadly disease do—using alcohol and engaging in misconduct that ultimately got him discharged from the service.

Unfortunately, this discharge not only prevented him from continuing to receive needed mental health care from the DOD but also from going to the VA to get treated for PTSD.

My constituent ultimately took his life and left many, including his family, to wonder if he had been able to get needed help after his return from Iraq, or if he could have accessed the number of mental health services that are available from the VA, whether the outcome could have been different.

What is clear from the DoD's mental health task force and other reports is that the outcome can be different for the thousands of our soldiers who may be suffering.

I am pleased by the hard work and focus on this issue that the Armed Services Committee has taken in the past few years. I commend the Chairman, the Ranking Member, and others who have worked and continue to do so to ensure that the ''signature injuries'' of our ongoing conflicts receive the highest level of attention from this Congress.

I also want to commend the Services on the changes and improvements they've made thus far.

However, let's be clear: more can be done. I offered three amendments to this bill to highlight the need to continue to try and make those improvements.

The amendment made in order today would ensure that recommendations that have been put forward to close identified gaps are actually implemented and that our servicemembers see actual improvements in terms of their ability to receive help when they need it.

That is the purpose of the amendment which the Chairman has graciously included in this En Bloc package that would require the GAO to assess the DoD's progress in implementing the June 2007 recommendations of the Congressionally created DoD Mental Health Task Force.

It is my expectation that the GAO will examine and assess the implementation of all the recommendations with a focus on those related to:

Developing a comprehensive public education campaign to reduce the stigma associated with mental health problems;

Changing Department of Defense policies to ''Guarantee a Thorough Assessment of Behavioral Symptoms When Evaluating Combat Veterans for Administrative/Legal Dismissal from the Military'' including ''carefully assessing a soldier's history of exposure to conditions that could cause PTSD, or traumatic brain injury, or related diagnoses for those facing administrative or medical discharge'';

Appointment of a psychological director of health in each military department, military treatment facility, the National Guard, and the Reserves;

Enhancing TRICARE benefits and care for mental health problems;

Implementing an annual psychological health assessment addressing cognition, psychological functioning, and overall psychological readiness for each member of the Armed Forces, including members of the National Guard and reserve components;

Developing a model for allocating resources to military mental health facilities, and services embedded in line units, based on an assessment of the needs of and risks faced by the populations served by such facilities and services;

Maintaining adequate family support programs for families of deployed members of the Armed Forces.

It is my desire that GAO report on the dates on which recommendations are expected to be fully implemented and progress on implementing the recommendations throughout the year covered by the report, including barriers.

We must never lose sight of the fact that the goal is not just for DoD to have a plan, although that is helpful, but to actually make these changes and do it in a timely way.

I thank the Chairman for his support of this simple amendment and look forward to working with him in the future to ascertain what additional steps, if any, that are needed and which can be taken to help our servicemembers who may be suffering from PTSD.

Again, I thank you for your efforts.

A TRIBUTE TO JEFFREY McCRACKEN

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. MATSUI. Madam Speaker, I rise today in recognition of Jeff McCracken's nearly 20 years of service as Director of Public Affairs for the Bureau of Reclamation's Mid-Pacific Region. Mr. McCracken leaves a lasting legacy in Sacramento and his leadership and expertise will be deeply missed. I ask all my colleagues to join me in honoring one of Sacramento's finest public servants.

After earning his bachelor's degree from California State University Fresno, Mr. McCracken spent more then 20 years in the broadcasting industry as a reporter, anchor and broadcast news consultant in numerous television markets across the county. He began his career with the Bureau of Reclamation in 1989 when he was appointed Director of Public Affairs and has spent nearly the last two decades communicating the complex water needs of the Mid-Pacific Region to the public. As Director of Public Affairs he is responsible not only for the Mid-Pacific Region's public affairs, but he also manages their outreach, education projects and internal employee information activities. His dedication to the Bureau of Reclamation is demonstrated through his work with the local community, the media, Members of Congress, Federal and State agency representatives, stakeholders and foreign dignitaries and has enabled the Bureau to build and maintain credibility in the water community.

During his tenure, the Mid-Pacific Region has successfully handled a prolonged drought in California, Nevada and Oregon, a toxic spill in the Sacramento River and the organization of the Bay-Delta Accord. In addition, the Bureau coordinated an extensive public involvement program to implement the 1992 Central Valley Project Improvement Act and provided essential leadership during the historic floods of 1997, the closure of Folsom Dam Road in 2003, the Prospect Island levee breach, repair, and resulting fish crisis in 2007, and the Truckee Canal breach and repair in 2008.

In 2005, Mr. McCracken was awarded a citation for superior service by Commissioner John Keys for his leadership during the Klamath Basis water and fish mortality crisis, the prolonged regional drought and the Folsom Dam spillway gate break. His guidance and accomplishments in media relations, public involvement and employee communications for the Bureau of Reclamation during these times made him truly deserving of this award. Mr. McCracken was again recognized in April of this year by Secretary of the Interior, Dirk Kempthorne with a citation for meritorious service. For nearly two decades he has fostered respectful working relationships between the Region and representatives of the Federal, State and local governments, Indian Tribal governments, the media and the public. This citation justly recognized his commendable service and dedication to the Mid-Pacific Region and the Bureau of Reclamation as a whole.

Madam Speaker, I am honored to pay tribute to Jeff McCracken's distinguished commitment to Sacramento and our water needs. Mr. McCracken's outstanding leadership and dedication to the Bureau of Reclamation, established credibility for the Bureau and has ensured better water resource management for Sacramento and the entire Mid-Pacific Region. We all are thankful for his efforts. As Mr. McCracken's wife Susan, colleagues, family and friends gather to honor his service, I ask all my colleagues to join me in wishing her continued good fortune in his future endeavors.

CONGRATULATING ROCKY MOUNT HIGH SCHOOL ON WINNING THE 3–A HIGH SCHOOL BASEBALL STATE CHAMPIONSHIP

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. BUTTERFIELD. Madam Speaker, please join me in congratulating an outstanding group of high school student athletes from the first district of North Carolina.

It is with great pride that I recognize the Rocky Mount High School's boys varsity baseball team for capturing the 2008 North Carolina High School Athletic Association's 3–A State baseball championship series. This is the Gryphons' first state title in 28 years, and this means a great deal to a community that loves its baseball.

Rocky Mount High School boasts a rich athletic tradition, which includes five state titles in boy's baseball. Coach Pat Smith's team lived up to its preseason No. 1 ranking by winning the championship after an 8–6 victory over East Rowan last Saturday. Outfielder Brian Goodwin, who scored three runs in the final game, was named the series' most valuable player.

Rocky Mount finished the season at 27–6, which bettered the school record for wins by three. That record was previously held by the 1980 Rocky Mount squad, which was the last Gryphon team to win the championship.

I ask my colleagues to please rise and join with me in applauding a truly great season by an exceptional team—the Rocky Mount High School Gryphons. We congratulate the team and the city of Rocky Mount, and we wish them continued success.

HONORING MATTHEW GUPTILL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Matthew Guptill of Kansas City, Missouri. Matthew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1247, and earning the most prestigious award of Eagle Scout.

Matthew has been very active with his troop, participating in many Scout activities. Over the many years Matthew has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Matthew Guptill for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CELEBRATING CORYDON'S BICENTENNIAL

HON. BARON P. HILL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. HILL. Madam Speaker, 2008 marks the 200th anniversary of the town of Corydon, in Harrison County, Indiana. Just 19 miles west of Louisville, Kentucky, and with a population of approximately 2,700, the town's welcoming citizens and good nature are what help define the term ''Hoosier Hospitality''. Corydon is a most extraordinary community and one that forms an integral part of the rich history of my home state and our Nation.

The Town's ceremonial observance of this anniversary will be held on Saturday, June 7, and I look forward to celebrating Corydon's Bicentennial with its residents. This Saturday's event, however, is just one event of a yearlong celebration that includes a Bicentennial Ball, an old fashion ice cream social, a bicentennial parade, the dedication of a time capsule and other competitions and displays.

Corydon has a rich history dating back to the American Revolution when the region was still inhabited by Native Americans. It was in this fertile wilderness that in the early 1800's the family of Edward Smith located. General William Henry Harrison, Governor of the Northwest Territory, frequently traveled between the east and the Territorial capital in Vincennes and often stopped at the Smith property during his travels. While visiting, he discovered a good site for a town where two creeks, the Big Indian Creek and Little Indian Creek, joined to become one. Taking the name of a shepherd from a favorite song known as The Pastoral Elegy, he chose the name ''Corydon''.

Harvey Heth, a government surveyor, officially founded the town by platting it in 1808. The town was connected by road to Doup's Ferry 15 miles to the south in Mauckport in 1809, giving it good access to the Ohio River, the dominant transportation route of the time. The land for the town was originally purchased by Governor Harrison and he lived in the town for a period of time before moving to Ohio, and was eventually elected President of the United States.

In 1811 construction on the first state capitol was begun by Harrison County with intention of the building serving as the courthouse. The structure was completed in 1813 using limestone quarried near the town, and that same year became the second capital of the Indiana Territory when it was moved there from Vincennes.

In 1817, other structures, such as the Governor's Headquarters and First State Office Building, were built. The home of Colonel Thomas Posey was also built during this time. Posey would serve as Treasurer of Harrison County, a State legislator and Adjutant General of Indiana. His father, Thomas Posey, served Indiana as Territorial governor from 1813 until the creation of the state in 1816.

The state's first constitution was written in June of 1816 in Corydon. The 43 delegates in charge of writing the state's constitution met inside the original Harrison County Courthouse, but due to cramped conditions inside the log structure and the summer heat, the delegates would often seek refuge outside under a giant elm tree along Big Indian Creek. Now known as the Constitution Elm, it died in 1925 but its trunk is still preserved at its original location.

After statehood, Corydon served as the first State capital of Indiana from 1816 until 1825, when the capital moved to Indianapolis. During that time Corydon was the center of politics in the state and residents included Jonathan Jennings, the first Governor of Indiana; Dennis Pennington, first Speaker of the House; Ratliff Boon the second Governor; and William Hendricks, Indiana's first Congressman, third Governor and a U.S. Senator. The Old Capitol Building is now a State historic site and the entire downtown area was designated a National Historic District in 1973.

In 1860 the first annual county fair was held in Corydon and has continued each year as the longest continuously running fair in the state. Using natural terrain, the fairgrounds were built in the southwest corner of the town where it is bordered on the south and west by a large ridge to serve as a grandstand until the first grandstands were built around 1910.

Corydon was the site of the only Civil War battle fought in Indiana. On July 9, 1863, a Confederate contingent led by Brigadier General John Hunt Morgan, aided by the citizens of Brandenburg, Kentucky, crossed the Ohio River into Indiana during what became known as ''Morgan's Raid.'' More than 2,500 mounted cavalry men with two pieces of artillery engaged about 400 hastily prepared home guard units at the Battle of Corydon, resulting in a Confederate victory and the town surrendering to Morgan. The town was subsequently sacked, the treasury robbed of $690, and inmates of the jail released. Morgan demanded amounts of money ranging from $600 to $700 from each mill and shop owner to spare their businesses being burned. Town myth says that one such miller overpaid two hundred dollars which Morgan promptly returned to him.

Corydon was home to the late Indiana Governor, and my personal friend, Frank O'Bannon, who served Indiana as Governor from 1997 until his death in 2003. Known as a tenacious consensus-builder who quietly pressed others to do the right thing for the people of Indiana, his greatest legacy may be his work on behalf of children. He championed initiatives to provide health care to nearly half a million children who did not have insurance and created Building Bright Beginnings to emphasize the importance of emotional and brain development of children from birth to 4 years of age.

Along with Dr. Suellen Reed, the Superintendent of Public Instruction, and a team of education professionals on the Education Roundtable, O'Bannon tackled the most intractable problems facing public schools and developed some of the toughest academic standards and accountability system in the country, ensuring that Hoosier children learned more and improving Hoosier schools. As a result of this leadership, Indiana was one of the first states to meet new Federal standards, while at the same time Gov. O'Bannon continued to champion the implementation of full-day kindergarten statewide.

Prior to his service as Governor, Frank O'Bannon also served the state as a State senator from 1970 until 1988 when elected Lieutenant Governor on ajoint ticket with Evan Bayh. His father, Robert O'Bannon, also served as a state senator prior to Frank and

as part of the ceremony on June 7, 2008 the family will be honored with the dedication of a statue in the late Governor's honor.

Because of its historic nature, Corydon is a well-known regional tourist destination. The community hosts weekly events from early spring until late fall, usually centered around the historic town square. Some of the better-attended events include the annual Halloween parade, summer band concerts, an annual re-enactment of the Battle of Corydon, and a long string of country and bluegrass performances.

Few locations in our Nation have such a remarkable and storied past, and it is an honor and privilege to represent this community in Congress. I want to congratulate Corydon on its Bicentennial, and look forward to seeing how this unique and wonderful town thrives for decades to come.

IN HONOR OF DR. GEORGE BLUMENTAL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. FARR. Madam Speaker, I rise today on behalf of myself and Representatives ANNA ESHOO and MIKE HONDA to honor Dr. George Blumenthal, a distinguished professor of astronomy and astrophysics, on the occasion of his inauguration as Chancellor at University of California, Santa Cruz.

Chancellor Blumenthal has been a scholar and academic leader both at UC Santa Cruz and within the University of California system. He served as chair of the UC Academic Senate for 2004–05. He was the faculty representative to the UC Regents from 2003–2005 and chaired the UC Santa Cruz division of Academic Senate from 2001–2003. His research investigates the origin of structure in the universe and the role dark matter plays in the formation and evolution of this structure.

Chancellor Blumenthal is known for his efforts to increase access to the university and for his commitment to diversity. When he was named Chancellor by the Board of Regents in September, 2007, UC President Robert Dynes stated ''we are choosing a person who has contributed significantly to UCSC's richly deserved reputation for producing world-class research and student-focused instruction. George Bumenthal's thoughtful, collegial and constructive leadership will solidify UCSCIs stature as one of the premier research universities in the Nation.

Madam Speaker, my colleagues and I are proud to share the representation of the University of California Santa Cruz campus and its several regional facilities in our districts. Together, these facilities make up one of our Nation's higher education jewels. I know that we speak for the whole house in congratulating Chancellor Blumenthal on his inauguration and wishing him much success as he leads this stellar institution to even greater research, education and public service to benefit the region, the State and the Nation.

HONORING RETIRED JUSTICE WILLIAM WAIBLE

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. REYNOLDS. Madam Speaker, it is with great pride that I rise today to honor a truly respected and dedicated public servant. Recently retired Justice William Waible has spent over 25 years serving as a town justice for the Town of Clarence. Justice Waible is a man of exemplary character who has given the people of Western New York gracious service not only in the courtroom, but in the community, as well.

A graduate of the University of Rochester and Albany Law School, Justice Waible has been a town justice since 1982. He practiced law for over 40 years and has served as a Professor at Erie Community College for 21 years.

Justice Waible has worked as a criminal and civil lawyer, an arbitrator for the American Arbitration Association, an Administration Hearing Officer for the Erie County Health Department, and as counsel to the Erie County Legislature.

In the community, Justice Waible has been a member of many community organizations including the Clarence Lions Club, the Clarence Historical Society, the Clarence Concert Association, the Millard Fillmore Suburban Hospital Liaison Committee, the Board of Directors of the Community Action Organization, the Friends of the Clarence Library, and the Council of Advisors at Villa Maria College.

In addition to his involvement in various community organizations, Justice Waible has also coached children's soccer, softball and baseball.

Justice Waible is, without a doubt, an asset to Western New York. The kind of commitment Justice Waible has made to his community is something rarely seen, and should be applauded.

Madam Speaker, in recognition of Justice William Waible's remarkable contributions to the community, I ask this Honorable Body to join me in honoring him, in grateful appreciation for his extraordinary service to the people of Western New York.

SENSE OF CONGRESS REGARDING ESTABLISHMENT OF A BEBE MOORE CAMPBELL NATIONAL MINORITY MENTAL HEALTH AWARENESS MONTH

SPEECH OF

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 2008

Mr. WYNN. Mr. Speaker, as the House of Representatives debates H. Con. Res. 134, a resolution expressing the sense of the Congress that there should be established a Bebe Moore Campbell National Minority Mental Health Awareness Month to enhance public awareness of mental illness, especially within minority communites, I would like to submit the following eight endorsement letters for the RECORD.

MAY 20, 2008.

EDWARD S. HUBBARD, Jr., Esq.,
Senior Policy Advisor and Counsel,
Office of Congressman Albert R. Wynn.

TO WHOM IT MAY CONCERN: We, the members of the ''D.C. Divas,'' also make up the Bebe Moore Campbell National Minority Mental Health Task Force. We are writing to strongly urge you to support H. Con. Res. 134, which establishes the month of July as Bebe Moore Campbell National Minority Mental Health Awareness Month.

As friends and fellow advocates, we witnessed Ms. Campbell's tireless efforts to educate people throughout the country about mental health. Because a member of her family suffers with mental illness, she knew firsthand that the disease is a leading cause of disability in the United States. One out of every four American families is affected by mental illness.

In her own search for information and services, Ms. Campbell found compassionate support within the community of people, who like her, had loved ones struggling with the disease. She also discovered that minorities suffering from mental illness lack access to culturally and linguistically competent mental health care. Compounding these challenges are the cultural stigma associated with mental health diagnosis and treatment, and a dearth of education and resources for minority families supporting a mentally ill loved. Always one to do whatever she could to solve a problem, Ms. Campbell joined several other people from black communities in Los Angeles to found the National Alliance for the Mentally Ill—Urban Los Angeles.

Establishing July as Bebe Moore Campbell National Minority Mental Health Awareness Month will raise awareness about mental illness and mental health disparities among minorities nationwide. This modest effort will improve public health by encouraging the expansion of vital care in underserved communities in every state.

Ms. Campbell, a noted author whose works became New York Times bestsellers, died on November 27, 2006 of brain cancer complications. By this time, she had become a national spokeswoman for minority mental health issues, using her celebrity status and creativity to address the issues surrounding mental illness. Her last works before her death included the best selling novel ''72 Hour Hold,'' a book about a mother's struggle to get aid for her mentally ill daughter, and the children's book, ''Sometimes My Mommy Gets Angry,'' about a young girl whose mother is mentally ill.

The family of the late Ms. Campbell fully endorses this initiative and seeks the help of all Members of Congress in promoting this cause.

Again, as 13 of Ms. Campbell's friends from Washington, DC—and fellow advocates for mental health services, we know she would be honored to have her name attached to this effort. Mostly, though, she would be thankful for the congressional commitment to expand services in underserved communities.

Sincerely,

Martha Jarvis, Beatrix Fields, Yolanda Phillips, Sheila Garnett, Judi Mooore Latta, Melbourne Cummings, Sidonie Davis, Patrice Gaines, LaFleur Paysour, Linda Wharton Boyd, Andrea Carter, Niambi Jarvis, Courtney Lang.

NATIONAL COUNCIL FOR COMMUNITY BEHAVIORAL HEALTHCARE,
Rockville, MD, May 21, 2008.

Hon. ALBERT WYNN,
Rayburn House Office Building,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN WYNN: On behalf of the National Council on Community Behavioral

Healthcare, representing 1,400 Community Mental Health Centers and other community mental health and substance abuse agencies serving over 6 million low-income Americans with mental illnesses and addiction disorders, I urge you to support H. Con. Res. 134, which establishes the month of May as Bebe Moore Campbell National Minority Mental Health Awareness Month. Mental illness is one of the leading causes of disability in the United States, affecting one out of every four American families.

Today, minorities suffering from mental illness lack access to culturally and linguistically competent mental health care. Compounding these challenges is the cultural stigma associated with mental health diagnosis and treatment, and a lack of education materials and resources for minority families supporting persons and loved ones with mentally illness.

Establishing May as Bebe Moore Campbell National Minority Mental Health Awareness Month will raise awareness about mental illness and mental health disparities among minorities nationwide. This modest effort will improve public health by encouraging the expansion of vital care in underserved communities in every State.

Ms. Campbell, a national spokeswoman for minority mental health issues, made her transition on November 27, 2006. The late Ms. Campbell founded the National Alliance for the Mentally Ill Urban Los Angeles and wrote books including the New York Times best selling novel ''72 Hour Hold,'' and the children's book, ''Sometimes My Mommy Gets Angry,'' which outline the devastating effects of mental illness on families and communities.

The members of the National Council join the family, friends and colleagues of the late Ms. Campbell, as well as members of Congress in fully promoting and endorsing one of the important legislation on minority mental health, the Bebe Moore Campbell National Minority Mental Health Awareness Month.

Sincerely,

LINDA ROSENBERG,
President and CEO.

MAY 20, 2008.

Via e-mail: Ed.Hubbard@mail.house.gov

DEAR CONGRESSMAN ALBERT R. WYNN: The Urban Los Angeles Chapter of the National Alliance on Mental Illness (NAMI) that is devoted to educating, supporting and advocating for individuals and families in communities of color challenged by mental illness diagnoses urges you to support H. Con. Res. 134, which establishes the month of May as Bebe Moore Campbell National Minority Mental Health Awareness Month. Mental illness is one of the leading causes of disability in the United States, affecting one out of every four American families.

Today, minorities suffering from mental illness lack access to culturally and linguistically competent mental health care. Compounding these challenges is the cultural stigma associated with mental health diagnosis and treatment, and a lack of education materials and resources for minority families supporting persons and loved one with mentally illness.

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The members of NAMI Urban Los Angeles join the family, friends and colleagues of the late Ms. Campbell as well as members of Congress in fully promoting and endorsing one of the important legislation on minority mental health, the Bebe Moore Campbell National Minority Mental Health Awareness Month.

Sincerely,

NANCY CARTER,
Executive Director,
NAMI Urban Los Angeles.

MAY 20, 2008.

On behalf of the members of the Bebe Moore Campbell Minority Mental Health Task Force, we are pleased to endorse H. Con Res. 134 to recognize July as ''Bebe Moore Campbell National Minority Mental Health Awareness and Treatment Month.

We acknowledge the critical importance of specifically addressing the mental health needs of minorities in a culturally competent and linguistically competent manner. We acknowledge and support the need for health equity so that all communities are able to receive equality of care, treatment and services.

In the spirit of working to reduce the stigma of depression and chronic mental health disorders, the task force recognizes the need for education in minority communities, that mental illnesses are diseases of the brain are treatable and are chronic conditions. We support needed intervention and treatment programs that seek to support the integration of mental health within the broader system of public health care.

The task force is committed to carrying the vision of Bebe Moore Campbell, a champion for the equality of mental health care in minority communities, whose tireless advocacy worked to establish NAMI—Urban Los Angeles and support a sustainable community health intervention model for communities of color that can be replicated across the country.

We encourage all Members of congress to vote a yes and offer our individual and collective voice to support H. Con. Res. 134 to eliminate disparate care in the mental health system and our communities at-large.

LINDA WHARTON-BOYD,
Co-Chair, National Minority Mental Health Task Force.
COURTNEY LANG,
Co-Chair, National Minority Mental Health Task Force.

ONE CHURCH, ONE CHILD
OF MARYLAND, INC.,
Baltimore, MD.

CONGRESSMAN ALBERT R. WYNN,
Rayburn Building,
Washington, DC.

DEAR CONGRESSMAN ALBERT R. WYNN: The One Church One Child of Maryland, Inc. is devoted to Adoption and Foster Care. We are also devoted to the physical, mental and spiritual health of children and families. As such, we endorse the promotion of strong mental health and endorse H. Con. Res. 134, which establishes the month of July as Bebe Moore Campbell National Minority Mental Health Awareness Month. Mental illness is one of the leading causes of disability in the United States, affecting one out of every four American families.

Today, minorities suffering from mental illness lack access to culturally and linguistically competent mental health care. Compounding these challenges is the cultural stigma associated with mental health diagnosis and treatment, and a lack of education materials and resources for minority families supporting persons and loved ones with mentally illness.

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The members of One Church One Child of Maryland, Inc. join the family, friends and colleagues of the late Ms. Campbell as well as members of Congress in fully promoting and endorsing one of the important legislation on minority mental health, the Bebe Moore Campbell National Minority Mental Health Awareness Month.

Sincerely,

DR. CHARLES E. COGER,
Board President.
DR. JOAN L. WHARTON,
Executive Director.

DEAR EDWARD S. HUBBARD, Jr. Esq. and CONGRESSMAN ALBERT WYNN: Thank you so much for moving forward this important and very personal bill. I am President of NAMI Urban LA (National Alliance on Mental Illness) and co founder of this chapter with my dear friend Bebe. Bebe as you know worked tirelessly to help educate and support our mentally ill community. Even when she became ill she was always talking of ways for us to raise money to support our cause. Her death was a huge blow to her family, friends, readers, and the world. When this bill passes it will help ease the pain of her loss. Our chapter continues to press on in her name. The month of July will now be even more special; celebrating the Declaration of Independence on the 4th and celebrating all month Bebe's importance in helping to liberate, support, educate and advocate for so many afflicted with mental illnesses.

Thank you so much again for this important bill.

LYNN J. GOODLOE,
President, NAMI Urban LA.

UNIVERSITY OF PITTSBURGH,
CHANCELLOR OF THE UNIVERSITY,
Pittsburgh, PA, May 20, 2008.

Hon. ALBERT WYNN,
c/o Edward S. Hubbard, Jr., Esquire,
Office of Congressman Albert R. Wynn.

DEAR CONGRESSMAN WYNN: I understand that you have taken the lead in sponsoring a bipartisan bill that would designate July as ''Bebe Moore Campbell National Minority Mental Health Awareness and Treatment Month.'' I applaud your efforts and am writing, for myself and on behalf of the University to Pittsburgh, to strongly endorse this important piece of legislation.

As you know, Bebe Moore Campbell was a distinguished graduate of the University of Pittsburgh. She also served as a member of our Board of Trustees and was the recipient of an honorary doctorate from Pitt, the

highest honor that any university can bestow.

For most of her career, Bebe was best known for her literary achievements. Over the course of many years, her efforts as an author produced a succession of works that were both critically acclaimed and enthusiastically embraced by a large audience of readers.

In more recent years, she came to understand the special challenges presented by mental illness in this country, and particularly within the minority community, and she opened a new stage of her career as a mental health advocate. An important tool in her advocacy efforts was her literary skill. She applied that skill in a more focused way in the children's book Sometimes My Mommy Gets Angry and in the novel 72 Hour Hold. Through these works, she was able to advance important messages with different audiences.

Beyond her efforts as an author, she became a tireless and unusually effective advocate for the cause of mental health. In this work, she was able to empathetically present the challenges faced both by individuals suffering from mental illness and by the family members and others who care for them.

Naming the month of July as ''Bebe Moore Campbell National Minority Mental Health Awareness and Treatment Month'' in her honor would he a well-deserved tribute to this tireless and selfless crusader. It also would help advance the cause for which she worked so hard and about which she cared so deeply.

Again, I applaud your efforts and .strongly endorse this important hill.

Sincerely,

MARK A. NORDENBERG.

AMERICAN PSYCHIATRIC ASSOCIATION,
Arlington, VA, May 20, 2008.

Hon. ALBERT WYNN,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WYNN: I am writing on behalf of the American Psychiatric Association (APA), the medical specialty representing more than 38,000 psychiatric physicians nationwide, to express our support for H. Con. Res. 134, your resolution designating July as ''Bebe Moore Campbell National Minority Mental Health Month.''

Your resolution calls attention to the urgent national need for improved access to mental health care for all Americans. This is particularly true in minority communities, where access to the highest quality treatment is too-often limited.

APA is pleased to support H. Con. Res. 134, and commends you and Representative Diane Watson for your personal efforts on behalf of mental health care, both for minority populations and the U.S. as a whole.

Sincerely,

JAMES H. SCULLY, Jr.,
Medical Director and CEO.

HONORING JAMES FLUKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize James Fluker of Kansas City, Missouri. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1247, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many Scout activities. Over the many years James has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending James Fluker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING ROBERT ''BOB'' SUGARMAN

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor Bucks County resident Robert ''Bob'' Sugarman for his lifetime of extraordinary accomplishments.

Among his many accolades, Mr. Sugarman is an internationally recognized environmental litigator for his practice, Sugarman & Marks, LLP. Mr. Sugarman has protected countless local, State, and national natural resources, including the Great Lakes, the Hudson and Delaware Rivers, and many irreplaceable local treasures.

In addition to his environmental litigation accomplishments, Mr. Sugarman has also worked tirelessly to protect numerous historic sites throughout Bucks County and the city of Philadelphia. Thanks to his incredible efforts, future generations will be able to experience, appreciate and enjoy the charm, history and beauty of southeastern Pennsylvania.

Besides serving the local and State communities through his involvement with various organizations, Mr. Sugarman was also appointed by President Jimmy Carter to represent America as the United States Commissioner for the International Joint Commission for United States and Canada. In this post he helped found Great Lakes United, an international and interstate effort to protect the precious Great Lakes.

Madam Speaker, Mr. Sugarman is an extraordinary citizen who has helped protect the invaluable natural resources and history of the United States. His efforts have preserved these resources for the future, and he has truly affected the international, national, and local communities in wonderful ways. I am honored to recognize my close friend and mentor, Bob Sugarman, for his many accomplishments.

HONORING THE LIFE AND WORK OF HARRY J. MOORE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. WOOLSEY. Madam Speaker, I rise with sadness today to honor my friend and political compatriot Harry J. Moore, who passed away May 26 at the age of 79. Harry was an educator and political leader in Marin County, California—the kind of leader whose focus and commitment earned him both affection and respect.

Often known as ''Mr. Novato,'' Harry is particularly identified with the town he lived in for over 40 years. He and his wife Callita raised their family there, and Harry worked as a school administrator, coach, and civic leader, including a stint as mayor.

Born in San Francisco in 1929, Harry earned a master's degree from San Jose State University and served in the Army in Korea. He and Callita Temme were married in 1955, moving to Marin County in 1960 when he took a position coaching and teaching at Marin Catholic High School. His career soon took him to Novato where he eventually became a dean, vice principal, and then principal at several Novato schools including Pleasant Valley Elementary, San Ramon Elementary, San Marin High, Novato High, and Hill Middle School. At Hill, Harry spearheaded the construction of a gymnasium.

Harry's political career, stemming from his dedication to education, began with his election to the Marin Community College district board in the 1970s where he promoted the development of the Indian Valley Campus. He served an additional term from 2003 to 2007, when he lost a re-election bid.

In the early 1980s, concerned about environmental and quality standards in Novato, Harry was an active member of the Planning Commission. In 1985, he was elected to the Novato City Council where his leadership as mayor was crucial in resolving long-standing development issues at the former Hamilton Air Force Base. He left the Council in 1994 after winning election to the Marin County Board of Supervisors. There, his expertise on environmental issues (he was a founder of Sustainable North Bay) helped spur the growth of parks and open space.

Despite all these titles and accomplishments, Harry was probably most proud of the title ''Coach.'' He coached football at several schools during the 1960s and 1970s, earning a league championship for Novato High School in 1965.

In addition to his wife, Harry is survived by his four children Lillian, Jeffrey, Charles, and Kate.

Madam Speaker, Harry Moore's accomplishments were a direct result of his focus on kids and on his community. When he saw something that could be done to make the community a better place, he did not hesitate to put himself on the line to make it happen. He was an inspiration, and I will miss his leadership very much. I am proud to honor his legacy here today.

PAYING TRIBUTE TO DR. C. OWEN ROUNDY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor Dr. C. Owen Roundy by entering his name in the Congressional Record, the official record of the proceedings and debates of the United States Congress since 1873. Today I honor Dr. C. Owen Roundy for his accomplishments within the Clark County School District, and congratulate him on having an elementary school named in his honor.

Dr. Roundy was born in 1939 in Kanab, Utah. He received his Bachelor of Science in Elementary Education from Utah State University in 1962; his Master of Education from the University of Utah, Salt Lake City, Utah, in 1963; and his Doctoral degree from the University of Nevada, Las Vegas in 1977.

In 1963, Dr. Roundy began his tenure with the Clark County School District where he served as a teacher, counselor, and assistant principal. He served as a principal for 15 years at several schools including Will Beckley, Vail Pittman, and R. Guild Gray Elementary Schools. He also served as Director of Schools, Elementary Education Division; Assistant Superintendent, Elementary Division; Area Superintendent, Elementary Education Division; and as Executive Director, Human Resources Division before his retirement in 1999. In 1995, Dr. Roundy was an inductee to the Educational Hall of Fame—Excellence in Education by the Clark County Board of School Trustees.

Dr. Roundy served on Governor Bob Miller's statewide "Nevada 2000" committee to identify educational goals for the State of Nevada. He served as an adjunct professor for many years at Nova Southeastern University, Las Vegas campus, and the University of Nevada, Las Vegas. Outside the field of education, Dr. Roundy has served many years in a variety of capacities within the Church of Jesus Christ of Latter-Day Saints and was active on various committees and boards for the Boy Scouts of America. He has been a member of The Desert Chorale, a professional symphonic choir, for over 20 years.

Madam Speaker, I am proud to honor Dr. C. Owen Roundy for his accomplishments within the Clark County School District. I congratulate him on receiving the honor of having an elementary school named in his honor, and wish him the best of luck in the future.

SUPPORTING THE CENTENNIAL CELEBRATION OF LYNDON B. JOHNSON

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. REYES. Madam Speaker, I rise today to commemorate the centennial birthday of President Lyndon B. Johnson, a proud Texan with a Texas-sized personality. President Johnson provided the nation with strong leadership following the assassination of President John F. Kennedy, and his enduring legacy includes such seminal programs as Medicare and Medicaid, and the groundbreaking Civil Rights Act and Voting Rights Act.

One area where President Johnson's leadership continues to be felt today is the issue of education. Under his tenure the Bilingual Education Act of 1968 was signed into law. This measure directed instruction in English as well as multi-cultural awareness in the wake of the Civil Rights movement. The Act gave school districts the opportunity to provide bilingual education programs without violating segregation laws. As someone who grew up only speaking Spanish and had to attend a school that only taught in English, I personally know the significance of these actions for students in El Paso and the border region.

I will always remember meeting President Lyndon B. Johnson in the spring of 1965 while I was attending the University of Texas at Austin, and I rise today to honor the impact that he had on our country, and on El Paso. I urge my colleagues to join me in support of this resolution.

Thank you Madame Speaker.

IN CELEBRATION OF THE HERITAGE HIGH SCHOOL LADY 'CANES, AAA STATE CHAMPIONS

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. SCOTT of Virginia. Madam Speaker, I rise with great pride to call attention to a group of young women who have distinguished themselves, their school, their community, and the Commonwealth of Virginia.

The Heritage High School Girls Varsity basketball team beat Forest Park High School of Woodbridge, VA 50–29 to win the VHSL Group AAA girls state basketball championship game on March 14, 2008. The Lady Canes (30–2) became only the 10th Group AAA team in Virginia state history with 30 wins. This is a remarkable feat and I believe they deserve formal recognition for their accomplishment.

I would like to extend my enthusiastic congratulations to the Heritage High School players and their families, Coach Gardner and the rest of his coaching staff, Heritage High alumni, and the entire Heritage High community for their remarkable accomplishment and wish them a wonderful celebration this Thursday night.

HONORING THE WARWICK FIRE COMPANY ON THEIR 50TH ANNIVERSARY

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to recognize the Warwick Fire Company Station 66 on their 50th Anniversary. This all volunteer fire company has provided outstanding service to the residents of Warwick Township in Bucks County, Pennsylvania and they deserve our praise and appreciation.

The Warwick Fire Company was formed in 1958 by Mr. George P. Forte, together with his brothers-in-law, Mr. John Turco. and Mr. Watson E. Wright. Mr. Forte was elected the first president with Mr. Albert Jamison, Jr. as Fire Chief. On June 12, 1958 a certificate of incorporation was granted and the Warwick Township Fire Company No. 1 commenced operations.

As the son of a former Philadelphia police officer, I know how committed those who put their lives on the line for our safety truly are. Volunteer fire companies across America, just like the Warwick Fire Company, work hard every day to keep our cities and towns safe. The Warwick Fire Company's commitment to our community is undeniable. As their representative, I am proud to be just as committed to providing them and other fire companies with the tools and resources they need to do their jobs. After all, true homeland security means supporting those who keep our families safe.

Madam Speaker, the Warwick Fire Company and the other volunteer fire companies throughout our country need—and deserve—our continued support. On behalf of my family and the families of the 8th District of Pennsylvania, I want to thank the Warwick Fire Company for their tireless and life-saving efforts.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. WOOLSEY. Madam Speaker, on May 22, 2008, I was unavoidably detained and was not able to record my vote for rollcall No. 355.

Had I been present I would have voted: rollcall No. 355—"no"—Akin of Missouri amendment; for rollcall No. 357, I inadvertently voted "no", when I intended to vote "yes"; and rollcall No. 357—"yes"—Tierney of Massachusetts amendment.

PAYING TRIBUTE TO CAPTAIN JASON WILLIAMS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor Captain Jason Williams by entering his name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. Today I pay tribute to Captain Jason Williams, for his continued service with the United States Army and his accomplishments while completing two tours in Iraq.

The son of Mr. and Mrs. J.C. Williams, Captain Jason Williams is the youngest of four children and was born and raised in Las Vegas, Nevada. In 1995, he graduated from Western High School, and enrolled at Prairie View A–M University. After his sophomore year of college, Captain Williams enrolled in the ROTC Program upon completion of basic training at Fort Knox, Kentucky. As a Second Lieutenant, he earned his Bachelors of Science in Biology/Pre-medicine with a minor in Chemistry and Military Science. While in college, Jason was awarded with the Outstanding College Brother of the Year by the Alpha Phi Alpha Fraternity, Inc. He has also been honored with the Retired Officer Association Award and the Reserve Officer Award.

Captain Williams has served various assignments throughout his military career while serving overseas in the Republic of Korea, Friedberg Germany, and his two tours in Iraq. He received a Purple Heart during his most recent deployment in Iraq. He has also received the Bronze Star Medal, the Army Commendation Medal, the Southwest ASIA Service Medal, the Army Service Ribbon, the Global War of Terrorism Expeditionary Medal, and

the Global War of Terrorism Service Medal. Captain Williams is married to his wife Jessica, and they have one son, Joshua.

Madam Speaker, I am proud to honor Captain Jason Williams for his accomplishments within the armed services. His leadership and the awards he has received as a result of his actions are truly commendable. I commend Captain Jason Williams for his service to our community, and wish him the best in his future endeavors.

HONORING THE SERVICE OF COMMANDER CLAYTON DIAMOND OF THE UNITED STATES COAST GUARD

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. LoBIONDO. Madam Speaker, I rise today to recognize Commander Clayton Diamond for his service to the United States House of Representatives and for his twenty four years of service to our country in the United States Coast Guard. CDR Diamond was assigned as Legislative Counsel in the Office of Coast Guard Congressional and Governmental Affairs in May 2006. As Legislative Counsel, he worked directly with the Coast Guard's congressional authorizing committees and was responsible for coordinating the service's advocacy efforts, resulting in enactment of the Coast Guard Authorization Act and other Coast Guard legislative priorities. In my roles on the Coast Guard and Maritime Transportation Subcommittee and in numerous other venues, my staff and I have often relied on CDR Diamond's knowledge and understanding of domestic and international legal matters, as well as operational missions, and roles and responsibilities of the United States Coast Guard.

CDR Diamond enlisted in the Coast Guard in 1984 to attend the Naval Academy Preparatory School in Newport, RI, from which he graduated in 1985. He received his commission from the United States Coast Guard Academy in 1989, where he earned his Bachelor of Science Degree in Management. He also earned his Master of Science Degree in Management from Rennsaelar Polytechnic Institute in 1995, and his Juris Doctor Degree from Case Western Reserve University School of Law in 2000. He served as a 2006–2007 Seminar XXI Fellow for the prestigious Massachusetts Institute of Technology's Center for International Studies.

CDR Diamond's afloat assignments include Commanding Officer, USCGC BAINBRIDGE ISLAND, homeported in Sandy Hook, NJ, and tours as a deck watch officer aboard the High Endurance Cutters SHERMAN and GALLATIN, homeported in Alameda, CA and Governor's Island, NY, respectively. During these afloat tours of duty, CDR Diamond conducted operations in the Atlantic and Pacific Oceans, and the Bering and Caribbean Seas. As Commanding Officer of BAINBRIDGE ISLAND, CDR Diamond was On-Scene Commander during the early hours of the 1996 crash of Trans World Airlines Flight 800. His other operational assignment included serving as Deputy Incident Commander (for Operations) for the Coast Guard Atlantic Area Incident Management Assist Team. During these operational assignments, Commander Diamond participated in the seizure of over $300 million in illegal drugs, the interdiction of hundreds of illegal migrants in the Caribbean, the execution of numerous heavy weather search and rescue cases, and the boarding of numerous foreign fishing vessels in Alaska.

His previous assignments ashore include Coast Guard Liaison Officer to the U.S. State Department (where he served on the U.S. Delegation to the United Nation's International Maritime Organization, and negotiated key security and environmental protection instruments), Principal Assistant District Legal Officer for the Ninth Coast Guard District, Aide to the Superintendent of the Coast Guard Academy and instructor in the Academy's Professional Studies Department.

CDR Diamond is admitted to practice law by the Ohio Bar and, in 2002, was the first Coast Guard lawyer selected to support the Department of Defense's military commissions, where he assisted in preparing prosecution cases for some of the most significant terror suspects in U.S. custody. He has also served as an adjunct faculty member at the Defense Institute for International Legal Studies since 2000 and has conducted numerous maritime safety, security, and law enforcement executive seminars to senior foreign government and military officials throughout Asia, Africa, and Europe. CDR Diamond was appointed and served as a Special Assistant United States Attorney for the Nor-them District of Ohio (2002–2004). In 2002, CDR Diamond was chosen by the American Bar Association as the ''Outstanding Young Military Lawyer''. In addition to being formally recognized by the Department of Defense's General Counsel for his work on military commissions, he has also earned several State Department ''Superior Honor Awards'' for his work on the interagency teams that developed the President's National Strategy for Maritime Security (NSMS) and the Secretary of State's International Outreach Strategy for the NSMS, as well as for diplomatic efforts relating to international maritime security. The National Oceanic and Atmospheric Administration also awarded him the ''General Counsel's Award'' for his work on international environmental protection agreements. His personal military awards include two Meritorious Service Medals, two Coast Guard Commendation Medals, the Joint Service Achievement Medal, and the Coast Guard Achievement Medal.

This week, CDR Diamond will leave his post and retire after 24 years of honorable service to the Coast Guard and the Nation. It has been my pleasure to work with CDR Diamond, and on behalf of all who have also been fortunate to work with him, he will certainly be missed. We wish CDR Diamond, his wife Sharon, and his two children, Katelyn and Alexander, the best in all of their future endeavors.

CONGRATULATIONS TO EAST TEXAS AREA HEALTH EDUCATION CENTER (AHEC)

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PAUL. Madam Speaker, I am pleased to congratulate the East Texas Area Health Education Center (AHEC) on its receipt of the National AHEC Organization (NAO)'s 2008 Eugene S. Mayer Program of Excellence Award. The Eugene Mayer Award is one of the NAO's most precious awards since, in order to even be considered for the award, an AHEC program must demonstrate excellence in all areas of operation.

East Texas AHEC is certainly deserving of this prestigious award. Founded in 1991, East Texas AHEC is headquartered at the University of Texas Medical Branch (UTMB), which provides it access to some of the top medical talent in the Nation. East Texas AHEC operates nine other community health centers across the Gulf Coast. These centers offer a wide variety of health care services to over 14.9 million low-income Texans in 111 counties. Many low-income Texas would have a much more difficult time obtaining quality health care if it were not for the efforts of East Texas AHEC.

It is not just Texans who have benefited from the East Texas AHEC. By assuming a leadership role in advocacy for AHEC's nationwide, as well as providing an example to AHEC across the country of how they could expand their services to help met the health care needs of more low-income Americans, East Texas AHEC has benefited the entire American health care system.

Madam Speaker, I have always been impressed with how dedication with shown by the staff of East Texas AHEC to their mission of developing a quality health care workforce and addressing the unmet health needs of the people of Texas. I am therefore pleased once again extend my congratulations to my friends at East Texas AHEC for their well-deserved receipt of the 2008 Eugene S. Mayer award.

CONGRATULATING CONGREGATION ADATH JESHURUN ON ITS 150TH ANNIVERSARY

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. SCHWARTZ. Madam Speaker, I rise today to recognize and congratulate Congregation Adath Jeshurun in Elkins Park, PA on the celebration of its 150th anniversary. In 1858, three years before the Civil War, this proud congregation was established in the heart of Philadelphia. The congregation occupied many homes before settling down at the current Elkins Park location.

Adath Jeshurun or ''The Congregation of the Upright'' first conducted services in German and Hebrew. In the years following its establishment, a choir and organ were added to create a more beautiful and spiritually moving experience for participants. Adath Jeshurun's involvement in the founding of the United Synagogue of America in the early 1900's under the guidance of their Spiritual Leader, Rabbi Max D. Klein, continues to be a crowning achievement for the congregation.

Through the guidance of its exemplary leaders and devotion of its committed members, Adath Jeshurun has continued to offer many award-winning educational, spiritual and social opportunities ranging from religious education for members of all ages to youth music programs. The congregation is also dedicated to

community service within their place of worship, their neighborhood, and their greater community.

Madam Speaker, once again I would like to honor and acknowledge Congregation Adath Jeshurun for its remarkable congregational passage as a Jewish community in America through the past century and a half. I was so pleased to share in the opening event celebrating this ''incredible journey.'' I ask that my colleagues join me in celebrating this milestone and wishing ''AJ'' another 150 years of joy—from strength to strength!

PAYING TRIBUTE TO SUSAN SEGAL

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor my friend Susan Segal by entering her name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. Today I pay tribute to Susan Segal for her service as an educator in the Nevada education system for over twenty five years.

Susan has served the Las Vegas community since she began serving the Clark County School District in 1983 when she aided non-native English speaking students. Her dedication to educating Nevada's youth continued with teaching jobs at both Western High School and Chaparral High School. Susan then transitioned into administrative positions, working as the dean of students at Basic High School in 1994 and later as assistant principal at Desert Pines High School. In 2002, Susan was appointed principal of Basic High School.

Susan has become a commanding figure at Basic High School, where she can often be seen taking a direct interest in students' welfare and seeking advice and opinions from fellow staff members. Since her installment as principal, she has implemented the Upward Bound Program, accompanied the Spanish Club to Mexico and the ''We the People'' students to Carson City. She initiated regular meetings with the Advisory Council for the Law, Justice, and Public Service Institute. She has also acquired the proper funding to open the Dr. Joel and Carol Bower School-Based Health Center on the Basic High School campus. Susan's devotion to the Clark County School District has expanded her students' high school experiences as well as Nevada's educational system as a whole.

Madam Speaker, I am proud to honor Susan Segal. Her dedication to enriching lives through education has touched countless Nevadans. I applaud her efforts and wish her the best in her future endeavors.

FREEDOM FOR ERICK JESUS VALDES ALVAREZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise today to speak about Erick Jesus Valdes Alvarez, a political prisoner in totalitarian Cuba.

At a time when the totalitarian regime is trying to gain acceptance from the international community by enacting smoke and mirror ''reforms'', we see that the repressive machine is still working hard to make every Cuban on the island suffer for having a mind of their own. Such a case is Mr. Valdes Alvarez. In November of 2007, Mr. Valdes Alvarez was categorized as a ''pre-criminal social danger'' for being a member of the Youth Movement for Democracy, a group that calls for the autonomy of the universities so that they become true places of thought and learning separated from the ideology and influence from the propagandist, totalitarian dictatorship.

At that time Mr. Valdes Alvarez was sentenced to 3 years of forced labor, which is the totalitarian regime's idea of ''correctional work'' for those who associate themselves with groups that express free thinking. Although he escaped imprisonment, the ''probation'' imposed on him did not last half a year. On April 25 of this year his ''probation'' was revoked and he was arrested by agents of the tyranny. Mr. Valdes Alvarez, a young man of only 25 years of age, now sits in one of the prisons of Castro's gulag without being charged for any crime.

What exactly did Mr. Valdes Alvarez do to cause his designation as ''dangerous'' and his cruel incarceration? This is impossible to fully know in the totalitarian circus of present day Cuba, but perhaps the regime was afraid of the courage and patriotism demonstrated by Mr. Valdes Alvarez.

Mr. Valdes Alvarez represents the best of the Cuban people; a people that, through brutalized and oppressed for almost half a century, have never ceased to fight for their dignity and their freedom.

Madam Speaker, it is unconscionable that students like Mr. Valdes Alvarez are locked in dungeons for simply expressing a desire for freedom and an education free of indoctrination. My colleagues, we must demand the immediate and unconditional release of Erick Jesus Valdes Alvarez before his imprisonment turns into a death sentence, and of all the political prisoners in totalitarian Cuba.

IN RECOGNITION OF THE OUTSTANDING WORK BY SHEMEKA GREAVES, A TSO AT CHICAGO O'HARE INTERNATIONAL AIRPORT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. THOMPSON of Mississippi. Madam Speaker, Today, I would like to recognize the outstanding work of Ms. Shemeka Greaves, a Transportation Security Officer at the Chicago O'Hare International Airport. On May 7, 2008, Ms. Greaves positively identified an 8-year old girl who had been declared ''missing'' the previous week and was traveling from Chicago to Atlanta. After seeing the girl's photo in a newspaper article, Ms. Greaves recalled screening the girl along with a female passenger on the morning a few days earlier. A subsequent review of checkpoint surveillance tapes showed the missing girl going through security with a female companion. Ms. Greaves' awareness and vigilance at security checkpoint was crucial in an effort to confirm the identity of the missing girl and facilitated law enforcement officials to successfully complete their investigation and reunite her with her father.

The National Center for Missing and Exploited Children confirms that in our country alone, more than 2,700 children are being reported missing every day. In the last few years, Congress has passed several legislative landmarks, including the Adam Walsh Child Protection and Safety Act of 2006, which addresses this issue and has fortified government efforts and mechanisms in place to reunite missing children with their families and loved ones. In addition to these government-wide efforts, law enforcement officials across all agencies remain vigilant, cautious and responsive to special alerts for missing children. Ms. Greaves, our frontline security officer at Chicago Airport, contributed to this effort, and is a great example of the caliber of employees across the Transportation Security Administration (TSA) that contribute, every day, to making our skies more secure.

TSA is responsible for securing 450 U.S. airports and employs approximately 50,000 Transportation Security Officers (TSOs) who have the very important mission of keeping the travelling public safe from terrorist threats. In the course of executing this critical homeland security mission, Transportation Officers carefully screen and inspect people, baggage, cargo and the airport. Ms. Greaves' alert, timely action serves as a great example of how TSOs, our Nation's aviation security ''eyes and ears,'' can partner effectively with law enforcement to address criminal activities.

Madam Speaker, I ask that you and my colleagues join me today and congratulate Ms. Shemeka Greaves for her outstanding performance as a front-line homeland security officer. She, like many other TSOs in the field, has shown strong character and a commitment to protecting the flying public that goes above and beyond what is expected. As a result, Ms. Greaves helped ensure that a missing little girl child was returned to her home.

TRIBUTE TO JERI MILSTEAD, PhD ON THE OCCASION OF HER RETIREMENT

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. KAPTUR. Madam Speaker, I rise to recognize the remarkable career of Jeri Milstead, PhD in my district. Dr. Milstead is retiring in June 2008 after decades of illustrious nursing and public service.

Dr. Milstead serves as Dean of the College of Nursing at the University of Toledo. Throughout her tenure, first at the Medical College of Ohio and since following the merger with the University of Toledo, Dean Milstead has led the College of Nursing with an integrity and quality which is rare. Her talent in nursing is matched by her gift as a teacher and mentor, her passion for policy, and her skill as a leader.

Dr. Milstead holds a PhD in political science with majors in health policy and comparative

politics from the University of Georgia. She received both her Master of Science and Bachelor of Science in Nursing from Ohio State University, graduating cum laude. She holds a nursing diploma from Mt. Carmel Hospital School of Nursing. One of only 1500 out of nearly three million nurses, Dr. Milstead is a Fellow of the American Academy of Nursing. She is board certified as a Nurse Executive Advanced. Dr. Milstead is also a founding member of the Nightingale Policy Institute, a virtual gathering of U.S. policy nurses. She serves as Chair of the Board of Commissioners of the Commission on Nurse Certification. She is a member of the Health Policy Council of the Ohio Nursing Association and the American Academy of Nursing's Expert Panel on Global Health. Appointed to the Toledo Lucas County Port Authority, Dr. Milstead has traveled to China, Cuba, and Jordan and evaluated programs in these countries.

Jeri Milstead has received many awards and accolades throughout her career. She was awarded the American Nursing Association's first Search for Excellence Award. She has been honored by Ohio's General Assembly for her leadership and service. She was awarded a Duquesne University Creative Teaching Award for her pioneering design and implementation of the first online course taught in the first online nursing PhD program offered in the world. Her own institution recognized her efforts by awarding her its Career Achievement Award.

Internationally respected as an expert in public policy and the politics of health care, Dr. Milstead is well-published in this arena and nursing. In addition to several books and journal publications, she was Editor-in-Chief of The International Nurse for eleven years until its recent cessation.

Jeri Milstead has been a guiding light in nursing and health care worldwide. Her caring work has been inspirational, and her counsel invaluable. tier retirement leaves shoes nearly impossible to fill, yet her imprimatur is everywhere: in her profession, the university, our nation and world. She will most certainly be missed. As she begins this new journey in her life we wish for Jeri time spent doing what she most enjoys with those for whom she most cares. Godspeed.

RECOGNIZING WESTCARE HEALTH SYSTEM FOR THEIR DEDICATION AND SERVICE TO WESTERN NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. SHULER. Madam Speaker, I rise today to express my gratitude to all of the employees of WestCare Health System.

When an unexpected event occurred at a neighboring hospital in Western North Carolina, the physicians and staff of WestCare Health System, which includes Harris Regional Hospital, recognized the urgency of the situation and took action to address a regional health care crisis. They made the necessary adjustments to serve both those in need of health care, and the professionals responsible for providing vital services, such as surgery and emergency care.

The services and credentialing staff of WestCare worked long hours to assist displaced physicians in obtaining the proper clearance needed to treat patients and perform surgeries at Harris Regional Hospital. Despite the increased patient volume, every member of the staff stepped in to do their part to help, ensuring that Harris Regional Hospital remained a clean, safe place to receive medical treatment.

The flexibility that this staff showed through this time is truly something to be appreciated and admired. The increased workloads were a challenge to both the professional and personal lives of the WestCare staff. Projects were put on hold, sleep was lost, and family time dwindled. For this, on behalf of the patients that were able to obtain care at this facility, who may have otherwise had to do without, I would like to say thank you for the sacrifices that you made in order to make sure they had the care that they needed.

I would like to commend and thank all of the staff of WestCare for ensuring that every patient that walked through their doors would receive the high quality health care that they deserved from staff and were treated in a friendly and efficient manner.

The region has noticed WestCare Health System's efforts. Community leaders have recognized the staff's response and dedication. Patients have expressed their appreciation through letters to WestCare's CEO Mark Leonard. This brand of endurance and care for our neighbors when they are in need is not only a characteristic of the WestCare staff, but rather of the people of Western North Carolina.

I am proud to represent an area where I know that we can count on those around us to help us in times of trouble. To the staff at WestCare, I cannot thank you enough for your hard work and dedication to serving those around you in a time of need.

IN MEMORY OF KEITH AND JAYNIE PAULSON, VINCE WHITELEY, AND JENNIFER DRAKE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. THOMPSON of California. Madam Speaker, I rise to honor the all too short lives of Keith and Jaynie Paulson, Vince Whiteley, and Jennifer Drake, residents of my district, who died tragically in a small plane crash on May 23, 2008.

The epitome of the all-American family, Keith and Jaynie Paulson moved to the village of Albion on the Mendocino coast in northern California in 1976 and immediately became an integral and respected part of the community. A former high school science teacher from the Bay Area, Keith originally planned to develop hydroponic greenhouses.

Once he purchased a tractor, he was hired to do jobs for neighbors and then through word of mouth he found a niche digging trenches and installing underground utilities. In 1977, Paulson Excavating was born with Keith at the helm and Jaynie the chief financial officer. By 1981, the company had grown to the point of bidding on jobs in and outside of Mendocino County installing telecommunications components and doing projects for public agencies including cities, counties, special districts and the State. Their workforce grew from a core of 15 to as many as 75 employees.

Known and respected by their peers for exemplary business practices, the Paulsons were also beloved by colleagues and neighbors on the Mendocino coast, where their roots were deep. They raised two children, Amy and Brian, and were involved in their school, sports and other extra curricular activities. Bryan continues the work of Paulson Excavating. Amy is mother to the 3 Paulson grandchildren: Lincoln, Jackson, and Anna.

Jaynie served on the Mendocino Unified School District Board from 1991 until 2004. Keith also served for a short time on the school board and was the coach of the Mendocino High School golf team. He was a member of the Albion-Little River Volunteer Fire Department for 7 years and held various officer positions. A meticulous and expert pilot for 25 years, Keith was appointed as pilot representative to the Little River Airport Advisory Committee in 2007 by the County of Mendocino.

The tragedy, which took their lives, also claimed Amy's husband, Vince Whiteley, a graphic artist from Windsor and Bryan's longtime girlfriend, Jennifer Drake from Albion. The Mendocino coast community is left with a hole in the hearts of so many. Accolades and tributes to this sterling couple and their children's mates help the grieving as we try to make sense of their loss.

Madam Chair and colleagues, please join me in conveying our deepest sympathy to the children, loved ones, and the community, during this sorrowful time as we recognize and honor the lives and contributions of Keith and Jaynie Paulson and Vince Whiteley and Jennifer Drake.

HONORING RICHARD R. NIEMANN OF NAPA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Richard R. Niemann on the occasion of his retirement from the Napa Valley Unified School District after 39 years of teaching. Richard will be truly missed by his friends, colleagues and most of all, his students.

Mr. Niemann received his B.A. in History and Business Administration from Fresno State University and went on to graduate studies in International Relations at the University of the Americas in Mexico City in 1969. His love for learning led him to get his teaching credential from Fresno State University in Standard Secondary-History, Economics, Political Science, and Business. In 1976, Mr. Niemann received a Life Administrative Credential in Education and his M.A. in History from Sonoma State University in 1981.

Mr. Niemann has devoted his life to the education of others and has greatly influenced many of the students and faculty members he has worked with. He is not only a phenomenal educator, but a sterling role model for the

community. Among many other achievements and activities, Mr. Niemann was co-chair of the NVUSD Educational Plan Committee for the new American Canyon High School from 2005–2006. He also coordinated National History Day for Napa County Schools, with more than 2,000 students participating annually from 2000–2004. Mr. Niemann has reached out to get others involved, serving as a delegation leader for the ''People to People'' Student Ambassador Program. The program attracted participants from Russia, Latvia, Lithuania, New Zealand, and Australia. He has been a mentor teacher, track coach, and has always made himself available after hours to work with parent volunteers.

Mr. Niemann strives to not just teach history, but to experience it. He has traveled to 49 countries on six continents. He has consulted with educators and observed schools in Mexico, Fiji, Russia, Germany, Japan, Central America, South Africa, India, Kenya, Thailand, Costa Rica, and Nicaragua.

Madam Speaker and colleagues, it is my distinct pleasure to recognize Richard R. Niemann for his many years of service to the Napa Valley, and to thank him for his contributions to the community. I join his wife, Marsha, his children, and our colleagues in wishing him the best as he enters this new phase of his life.

PAYING TRIBUTE TO COLONEL MICHAEL L. BARTLEY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor my friend Colonel Michael L. Bartley by entering his name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. Today I pay tribute to Colonel Bartley for his distinguished service to the United States Air Force and his exemplary record as Commander of the 99th Base Wing at Nellis Air Force Base, Nevada.

Colonel Bartley has had a long and illustrious career as an airman. Having graduated from the United States Air Force Academy in June 1983, Colonel Bartley distinguished himself in his early duty assignments as an A/OA–10 and F–16 instructor pilot. He also performed duties as a weapons officer, flight evaluator, flight commander, assistant operations officer, deployment commander, and served as a member of the 354 TFW Gunsmoke team in 1987.

During Operation Desert Storm, Colonel Bartley flew over 40 combat missions over Iraq in the OA–10 and flew 65 combat missions over Northern Iraq in the F–16C during Operation Provide Comfort and over Southern Iraq during Operation Southern Watch as the Operations Officer of the 523rd Fighter Squadron. Following his tenure in the Middle East, Colonel Bartley served as Vice Commander of the 35th Fighter Wing at Misawa Air Base, Japan and was subsequently assigned to serve as the Commander of the 99th Air Base Wing at Nellis.

Over the course of his career as an airman, Colonel Bartley has been highly decorated. Colonel Bartley has been awarded the Legion of Merit, the Distinguished Flying Cross with Valor, the Meritorious Service Medal with 4 oak leaf clusters, the Air Medal with 6 oak leaf clusters, the Air Force Commendation Medal, the Air Force Organizational Excellence Award and numerous other accolades and awards.

Madam Speaker, I am honored to be able to recognize Colonel Michael L. Bartley. His dedication to defending freedom and his exemplary record of service illustrate that Colonel Bartley is a true American patriot. I thank him for his service, applaud him on all his successes and wish him the best in his future endeavors.

THE 52ND REUNION OF THE U.S. AIR FORCE'S 4080TH STRATEGIC RECONNAISSANCE WING

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mrs. BACHMANN. Madam Speaker, recently in Del Rio, Texas, the veterans of the U.S. Air Force's 4080th Strategic Reconnaissance Wing held their 52nd and final reunion.

I am proud to say that many of Minnesota's finest have served in this distinguished outfit, including the man who shared with me their incredible achievements, Minnesota native Jim Wemple, Airmen 2nd Class, who joined the unit the year it was formed, 1956.

The 4080th is one of the most distinguished units in the great history of the American armed services. In fact, it holds the distinct honor of being the highest decorated unit in the Air Force during peace time. The unit has received a Presidential citation, and its members have been awarded the highest honors afforded by the military, including the Silver Star and the Medal of Honor.

With skill and courage, the 4080th flew critical recon missions time and again, including many daring missions during the Cold War. Their efforts and sacrifices averted conflicts, saved lives and secured peace.

The brave patriots who served in this unit have played a pivotal role in many of the defining events of the 20th Century. With courage and dignity, they put their lives on the line to defend our flag and our freedoms and these men truly deserve our undying gratitude.

And so it is my honor to recognize and pay tribute to the all the men of the 4080th Recon Wing. We must always hold the American serviceman in our hearts, for, as General MacArthur said, they hold America's destiny in their hands.

HONORING ALWARD AND HENRY MEEKER POST 2833 AND LADIES AUXILIARY, VETERANS OF FOREIGN WARS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor the Alward and Henry Meeker Post 2833 and the Ladies Auxiliary, Veterans of Foreign Wars, Kenvil, Township of Roxbury, County of Morris, New Jersey, as we commemorate the Post's 75th Anniversary.

VFW Post 2833 was formed during the winter months of 1932 and 1933 in a road stand which is now the office of the Kingtown Mountain Motel. Twenty-one other charter members were recruited by Frank Van Houten, a Spanish American War veteran, after his move from Paterson, New Jersey to Netcong. Mr. Van Houten was previously a member of the Alexander Hamilton VFW Post 139, Paterson. Netcong had already formed a post a year earlier, but Mr. Van Houten and his recruits from the Netcong/Succasunna area sought to establish their own Post.

The Post was named in remembrance of two brothers, Private Alward Wilson Meeker and Private Henry Fordham Meeker Jr., who both died during World War I. The brothers were sons of Henry F. and Charlotte H. Meeker, who operated a general store on Main Street in Kenvil. On Flag Day, June 14, 1933, the A & H Meeker VFW Post officially was chartered with Frank Van Houten as its first Commander. The Ladies Auxiliary was chartered on October 13, 1933. Ruth Hart was its first President.

On January 12, 1935, Post charter member John Kasweck and Auxiliary charter member Margaret Kasweck deeded land for the new Post home. The members signed for a bank loan to cover the cost of building materials and held fundraisers and dances to pay off the debt. The loan was repaid by the early 1940s, so by the end of World War II, returning veterans had an established post to join.

In the late 1960's a merger took place between Alward & Henry Meeker 2833 and Roxbury Memorial Post 10135, including the Ladies Auxiliaries. The Post retained its name.

During 1988 additions were completed for the Post building, and land was purchased for a parking lot. The flag pole was moved to its present position at the Post building. Sidewalks and wheelchair access were also added, but funds fell short, and loans were once again given by members. In the 1990's the Post and Auxiliary joined forces, sponsoring spaghetti dinners to meet the obligation of these loans.

Today, the Post celebrates its 75th anniversary. The members take pride in all the service they have provided to our veterans and the community of Roxbury Township over many years.

Madam Speaker, I am privileged to honor the Alward and Henry Meeker Post 2833 and the Ladies Auxiliary, Veterans of Foreign Wars. I urge you and my colleagues to join me in congratulating the members of this valuable, dedicated organization for their seventy-five years of service!

IN HONOR OF THE STUDENT GRADUATES OF SADDLE RIVER'S YOUTH LEADERSHIP PROGRAM

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GARRETT of New Jersey, Madam Speaker, today, the Saddle River Police Department will hold its Youth Leadership Program graduation ceremony with the students of the Wandell School. The young people participating in this important program have made

a commitment to say no to drugs, underage drinking, and gang violence. They have done this with the support of Chief of Police Timothy McWilliams, Superintendant Dr. David Goldblatt, teachers, Mike Nussear and Glen Stokes.

The Saddle River Youth Leadership Program allows children to defeat the negative cultural influences that they are challenged with daily by opening the lines of communication between law enforcement and youth and empowering them with confidence and courage to say no to drugs.

I am proud of the young boys and girls who participated in this program at the Wendell School, and I would like to recognize them all for taking this step toward positive citizenship:

Jeffrey Conocenti, Scotty Derosier, William Fullerton, Sydney Hayday, Samantha Holder, Ellie Hughes, Ankit Kakar, Baasil Khalil, Jeffrey Korb, Nathan Levin, Kyler McVay, Courtney Micallef, Joshua Moll, Rachel Pasternak, Bailey Pennell, Dylan Pierz, Anne Pless, Glennis Walter, Francis Ahearn, Victoria Amimiroumand, Alejandro Asef-Sargent, Nicholas Biondi, Connor Bovino, Kristyn Del Campo-Banrevy, Shannon Duggan, Alex Formento, Ashley Holder, William Hughes, Woody Kim, Skyler King, Tyler Levin, Julia Massimi, Michelle Ritota, Russell Simmons, Jennifer Vincent

RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE CONGRESSIONAL CLUB

SPEECH OF

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 2008

Mr. ADERHOLT. Mr. Speaker, as Members of Congress, we know how difficult the transition to Washington, DC, can be for our spouses. The Congressional Club provides them a home away from home, encouraging bipartisan friendships.

The Congressional Club was established in 1908, by a group of 25 women from Washington who sought to establish a nonpolitical group which would bring the spouses of Members of Congress together when in Washington, DC. The Club was officially chartered by a unanimous Act of Congress in 1908, and remains the only club to be established by Congressional action. President Theodore Roosevelt signed the Congressional resolution into law on May 30, 1908.

Today, the Club is a charitable organization active in the Washington, DC, community and hosts events for the spouses of foreign dignitaries.

Since its beginning, the Congressional Club has participated in a wide range of charitable work, including rolling bandages, purchasing two evacuation planes for wounded soldiers, and honoring local fire and police departments. They have hosted Christmas parties and end of school pizza parties for inner-city children, appreciation days for local nursing home senior citizens. The annual First Lady's luncheon raises tens of thousands of dollars for charity.

To celebrate its 100th anniversary, the club has a year full of festivities and ceremonies that include a Founder's Day program, a birthday cake at the First Lady's Luncheon, an anniversary postage stamp, and a 100-year pin/pendant designed by past president Lois Breaux.

I would like to thank all the members of the Congressional Club for all their work and dedication over the years. Congratulations on your first 100 years. I wish you many, many more.

PAYING TRIBUTE TO CAPTAIN LARRY BOUNTY

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. PORTER. Madam Speaker, it is my distinct pleasure to rise today to honor my friend Captain Larry Bounty by entering his name in the CONGRESSIONAL RECORD, the official record of the proceedings and debates of the United States Congress since 1873. Today I pay tribute to Captain Larry Bounty for his life and accomplishments, and applaud him for 30 successful years with the Boulder City Fire Department.

Larry began his fire service career as a volunteer Fire Fighter with the Boulder City Fire Department in 1975 while working for the Los Angeles Department of Water and Power at Hoover Dam. He was then hired as a full time career Firefighter in 1978 and would spend the next 30 years with the Boulder City Fire Department. During Larry's career, he has held many different positions and assignments. He was a Firefighter/EMT, an Engineer, and for the last 18 years he was a Fire Captain of A Platoon.

He was one of the department's first arson investigators and eventually, the department's only fully post certified investigator. He was also instrumental in improving the city's emergency dispatch procedures, which resulted in faster response times and saved lives. When the Boulder City Fire Department decided to upgrade its Emergency Medical System, Larry became heavily involved in the project. He helped lay the groundwork for the transition from an intermediate based program with little invasive skills, to a full-blown Advanced Life Support paramedic program which has been hugely successful throughout the community.

In the 30 years he has spent in the fire service, Larry has been honored several times for his service and valor to our community. He has been honored with both the Valley of Heroes Medal and with the Medal of Valor.

Madam Speaker, I am proud to honor Captain Larry Bounty for his distinguished accomplishments during his 30 years at the Boulder City Fire Department. His dedication to his career and the community is a true testament to his character. I wish him the best of luck in his future endeavors.

IN RECOGNITION OF LEE FOSTER

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Ms. SPEIER. Madam Speaker, I rise this evening to praise and thank the dynamic, effervescent and talented Lee Foster for her service to the community and congratulate her on winning Hillbarn Theater's highest honor, the Bravo! Award.

Madam Speaker, there are few areas of this country with a finer performing arts tradition than the San Francisco Bay Area. With top-notch professional theaters, operas, symphonies and dance companies, not to mention first-rate venues for live music and comedy, Northern Californians have a phenomenal choice for live entertainment. In this competitive, excellence-driven market, it is remarkable that a community organization like Foster City's Hillbarn Theater can not only survive, but thrive.

Much of the credit for this is attributable to Lee Foster. Just ten years ago, Hillbarn was in dire straits. Faced with a debt in the hundreds of thousands of dollars, a dwindling audience and a roof the fire chief said wouldn't support his crew in the event of a fire, this proud institution, that entertained my family and thousands of others for more than a generation, was about to close its doors.

When Lee took the helm as Executive Director, she set four goals: Hire a top notch Artistic Director, create new and strengthen existing relationships with local communities, build a sound financial foundation and most urgently, repair the roof.

With the help of volunteers and a committed Board of Directors, Lee accomplished her goals. And in the process, Madam Speaker, she made the 12th Congressional District of California even more inviting than it was when she started.

On top of her remarkable management and fundraising skills, Lee is also a many-faceted and inspiring performer. I have been fortunate to be in her audience for numerous productions and Lee has never been short of amazing.

Lee's hard and selfless work has led to hundreds of opportunities for local actors, singers, dancers, set constructors, lighting and sound techs, and all the other volunteers who make community theater possible. Without Lee Foster, my blessed, beautiful and entertaining district would be a little less beautiful and entertaining.

SUNSET MEMORIAL

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. FRANKS of Arizona. Madam Speaker, I stand once again before this House with yet another Sunset Memorial.

It is June 3, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Madam Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 12,916 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Madam Speaker, died and screamed as they did so, but because it was amniotic fluid passing over the vocal cords instead of air, no one could hear them.

And all of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, ''The care of human life and its happiness and not its destruction is the chief and only object of good government.'' The phrase in the 14th amendment capsulizes our entire Constitution, it says, ''No State shall deprive any person of life, liberty or property without due process of law.'' Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Madam Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

Madam Speaker, let me conclude in the hope that perhaps someone new who heard this Sunset Memorial tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 12,916 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust is still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called abortion on demand.

It is June 3, 2008, 12,916 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children, this in the land of the free and the home of the brave.

RECOGNIZING IMPORTANT CONTRIBUTIONS OF NATIVE AMERICANS TO ARMED SERVICES

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. INSLEE. Madam Speaker, today, I became a cosponsor of the Code Talkers Recognition Act of 2007 (H.R. 4544), a bill that recognizes the service of members of Native American Tribes in our Armed Services as Code Talkers in World War I and World War II. Code talking was made famous by the members of the Navajo Tribe who served in the Pacific in World War II, and we have rightfully recognized this service by the granting of such medals to these veterans in 2000. However, members of 17 Native American Tribes also used their languages as unbreakable, top secret codes, on the Western front in World War I and on all fronts in World War II.

Time is running out to recognize these heroes. Ruth Frazier McMillian resides in my home State of Washington. She is the daughter of Tobias Frazier, a Choctaw Code Talker who risked his life to serve in the 36th Division of the American Expeditionary Forces, who helped the Americans win several key battles in the Mousse-Argonne campaign. I am told that this was the first time that a Native American language was used in an overseas battle for Americans. Mr. Frazier was wounded in battle and received a Purple Heart. It is my hope that Congress considers H.R. 4544, to honor the service of Tobias Frasier, his family and the many others who deserve the honor of a gold medal.

HONORING TREVOR PARRISH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 3, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Trevor Parrish of Blue Springs, Missouri. Trevor is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1138, and earning the most prestigious award of Eagle Scout.

Trevor has been very active with his troop, participating in many Scout activities. Over the many years Trevor has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Trevor Parrish for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4901–S4992

Measures Introduced: Three bills and three resolutions were introduced, as follows: S. 3076–3078, S.J. Res. 37, S. Res. 581, and S. Con. Res. 86. **Page S4969**

Measures Passed:

Veterans Mental Health Improvements Act: Senate passed S. 2162, to improve the treatment and services provided by the Department of Veterans Affairs to veterans with post-traumatic stress disorder and substance use disorders, after withdrawing the committee amendment in the nature of a substitute, and agreeing to the following amendment proposed thereto: **Pages S4983–86**

Boxer (for Akaka/Burr) Amendment No. 4824, in the nature of a substitute. **Page S4986**

Senate Restaurants Employees: Committee on Rules and Administration was discharged from further consideration of S. 2967, to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and the bill was then passed. **Pages S4986–88**

Republic of Georgia: Senate agreed to S. Res. 550, expressing the sense of the Senate regarding provocative and dangerous statements made by the Government of the Russian Federation that undermine the territorial integrity of the Republic of Georgia. **Pages S4988–89**

Use of Capitol Grounds: Senate agreed to H. Con. Res. 309, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run. **Page S4989**

National Huntington's Disease Awareness Day: Senate agreed to S. Res. 581, designating June 6, 2008, as "National Huntington's Disease Awareness Day". **Page S4989**

Measures Considered:

Climate Security Act: Senate continued consideration of the motion to proceed to consideration of S. 3036, to direct the Administrator of the Environmental Protection Agency to establish a program to decrease emissions of greenhouse gases. **Pages S4910–59**

A unanimous-consent agreement was reached providing that time during any adjournment or morning business count against cloture. **Page S4989**

Senate expects to begin consideration of the bill following the vote on the adoption of the conference report to accompany S. Con. Res. 70, Budget Resolution. **Page S4989**

Budget Resolution Conference Report—Agreement: A unanimous-consent-time agreement was reached providing that the previous order of Thursday, May 22, 2008, with respect to the conference report to accompany S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, be modified to provide that Senate may utilize the available debate time, notwithstanding the absence of the official papers on the conference report filed in the House of Representatives on Tuesday, May 20, 2008, and printed in the Congressional Record beginning on page H4217, and Senate being in possession of the Senate official copy of the conference report; that Senate proceed to utilize the debate time on Wednesday, June 4, 2008, at 11:30 a.m., following a period of morning business, and upon the use of the time specified in the previous order, Senate vote on adoption of the conference report at 11:45 a.m.; provided further, that if Senate fails to receive a message that the House of Representatives has adopted the conference report by Tuesday, June 17, 2008, Senate adoption of the conference report be vitiated, further that if the vote is vitiated, then the previous order modified by this request remain in effect. **Page S4951**

Nominations Received: Senate received the following nominations:

Cheryl Feldman Halpern, of New Jersey, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2014.

David H. Pryor, of Arkansas, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2014.

Bruce M. Ramer, of California, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2012.

Elizabeth Sembler, of Florida, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2014.

Loretta Cheryl Sutliff, of Nevada, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2012.

James Culbertson, of North Carolina, to be Ambassador to the Kingdom of the Netherlands.

W. Stuart Symington, of Missouri, to be Ambassador to the Republic of Rwanda.

Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of the Congo.

Kenneth L. Peel, of Maryland, to be United States Director of the European Bank for Reconstruction and Development.

Dennis Michael Klein, of Kentucky, to be United States Marshal for the Eastern District of Kentucky for the term of four years.

3 Army nominations in the rank of general.

Routine lists in the Air Force, Navy.

Pages S4991–92

Messages from the House: **Page S4966**

Measures Placed on the Calendar: **Page S4966**

Executive Communications: **Pages S4966–69**

Additional Cosponsors: **Pages S4969–71**

Statements on Introduced Bills/Resolutions: **Pages S4971–74**

Additional Statements: **Pages S4963–66**

Amendments Submitted: **Pages S4974–82**

Authorities for Committees to Meet: **Page S4982**

Privileges of the Floor: **Pages S4982–83**

Adjournment: Senate convened at 10:00 a.m. and adjourned at 8:54 p.m., until 9:30 a.m. on Wednesday, June 4, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4989.)

Committee Meetings

(Committees not listed did not meet)

MAJOR WEAPONS SYSTEMS

Committee on Armed Services: Committee concluded a hearing to examine the acquisition of major weapons systems by the Department of Defense, after receiving testimony from John J. Young, Jr., Under Secretary of Defense for Acquisition, Technology, and Logistics; and Katherine V. Schinasi, Managing Director, Acquisition and Sourcing Management, Government Accountability Office.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Neel T. Kashkari, of California, to be an Assistant Secretary of the Treasury, Christopher R. Wall, of Virginia, to be an Assistant Secretary of Commerce, Michael E. Fryzel, of Illinois, to be a Member of the National Credit Union Administration Board, Donald B. Marron, of Maryland, to be a Member of the Council of Economic Advisers, Sheila McNamara Greenwood, of Louisiana, and Susan D. Peppler, of California, both to be an Assistant Secretary of Housing and Urban Development, Joseph J. Murin, of Pennsylvania, to be President, Government National Mortgage Association, and Luis Aguilar, of Georgia, Troy A. Paredes, of Missouri, and Elisse Walter, of Maryland, each to be a Member of the Securities and Exchange Commission, after each nominee testified and answered questions in their own behalf.

ENERGY MARKET MANIPULATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine energy market manipulation and federal enforcement regimes, after receiving testimony from Lee Ann Watson, Deputy Director, Division of Investigations, Office of Enforcement, Federal Energy Regulatory Commission; George Soros, Soros Fund Management, New York, New York; Michael Greenberger, University of Maryland School of Law, Baltimore; Gerry Ramm, Inland Oil Company, Ephrata, Washington, on behalf of the Petroleum Marketers Association of America; and Mark Cooper, Consumer Federation of America, Washington, D.C.

HEALTH CARE REFORM

Committee on Finance: Committee concluded a hearing to examine rising costs and low quality in health care, focusing on the necessity for reform, after receiving testimony from Paul B. Ginsburg, Center for Studying Health System Change, and Arlene Holt Baker, American Federation of Labor and Congress of Industrial Organizations (AFL–CIO), both of Washington, D.C.; Elizabeth A. McGlynn, RAND Corporation, Santa Monica, California; and Felicia J. Fields, Ford Motor Company, Dearborn, Michigan.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 6167–6174; and 3 resolutions, H. Con. Res. 366–367; and H. Res. 1235, were introduced. **Pages H4876–77**

Additional Cosponsors: **Pages H4877–78**

Reports Filed: A report was filed on May 23, 2008 as follows:

H.R. 6028, to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, with an amendment (H. Rept. 110–673, Pt. 1).

Reports were filed today as follows:

H.R. 5599, to designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the ''Thomas Jefferson Census Bureau Headquarters Building'' (H. Rept. 110–674);

H. Con. Res. 311, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby (H. Rept. 110–675);

H. Con. Res. 335, authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated (H. Rept. 110–676);

H. Res. 1233, providing for consideration of the bill (H.R. 5540) to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (H. Rept. 110–677); and

H. Res. 1234, providing for consideration of the bill (H.R. 3021) to direct the Secretary of Education to make grants and low-interest loans to local educational agencies for the construction, modernization, or repair of public kindergarten, elementary, and secondary educational facilities (H. Rept. 110–678). **Page H4876**

Speaker: Read a letter from the Speaker wherein she appointed Representative Jackson (IL) to act as Speaker Pro Tempore for today. **Page H4835**

Chaplain: The prayer was offered by the guest Chaplain, Rabbi Felipe Goodman, Temple Beth Sholom, Las Vegas, Nevada. **Page H4835**

Whole Number of the House: The Speaker announced to the House that, in light of the resignation of the gentleman from Maryland, Mr. Wynn, the whole number of the House is adjusted to 434. **Page H4835**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting National Men's Health Week: H. Con. Res. 138, amended, to support National Men's Health Week, by a ⅔ yea-and-nay vote of 362 yeas with none voting ''nay'', Roll No. 367; **Pages H4837–38, H4856–57**

Recognizing the State of Minnesota's 150th anniversary: H. Res. 923, to recognize the State of Minnesota's 150th anniversary, by a ⅔ yea-and-nay vote of 363 yeas with none voting ''nay'', Roll No. 368; **Pages H4838–41, H4857**

Supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day: H. Res. 1114, to support the goals and ideals of the Arbor Day Foundation and National Arbor Day, by a ⅔ yea-and-nay vote of 364 yeas with none voting ''nay'', Roll No. 369; **Pages H4841–42, H4857–58**

Dr. Martin Luther King, Jr. Post Office Designation Act: H.R. 1734, to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the ''Dr. Martin Luther King, Jr. Post Office''; **Pages H4842–44**

Chi Mui Post Office Building Designation Act: H.R. 5477, to designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the ''Chi Mui Post Office Building''; **Pages H4844–46**

Senior Executive Service Diversity Assurance Act: H.R. 3774, amended, to provide for greater diversity within, and to improve policy direction and oversight of, the Senior Executive Service; **Pages H4846–48**

Telework Improvements Act of 2008: H.R. 4106, amended, to improve teleworking in executive agencies by developing a telework program that allows employees to telework at least 20 percent of the hours worked in every 2 administrative workweeks; **Pages H4848–52**

Federal Food Donation Act of 2008: S. 2420, to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food—clearing the measure for the President; and **Pages H4852–53**

Federal Agency Data Protection Act: H.R. 4791, amended, to amend title 44, United States Code, to

strengthen requirements for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets. **Pages H4853–56**

Recess: The House recessed at 4:06 p.m. and reconvened at 6:30 p.m. **Page H4856**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H4836–37.

Senate Referrals: S. 2062 and S. 2420 were held at the desk and S. 1965 was referred to the Committee on Energy and Commerce. **Pages H4836–37, H4874**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H4856–57, H4857 and H4857–58. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:33 p.m.

Committee Meetings

21ST CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Committee on Rules: Granted, by a record vote of 6 to 2, a structured rule. The rule provides one hour of general debate on H.R. 3021, the 21st Century Green High-Performing Public School Facilities Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI.

The rule makes in order only those amendments printed in the report of the Committee on Rules. The amendments made in order may be offered only in the order printed in the Rules Committee report, may be offered only by a Member designated in the Rules Committee report, shall be considered as read, shall be debatable for the time specified in the Rules Committee report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard by Chairman George Miller of California and Representatives Arcuri, McKeon, Ehlers, Bishop of Utah, Hastings of Washington, Brady of Texas, and Kirk.

CHESAPEAKE BAY GATEWAYS AND WATERTRAILS NETWORK CONTINUING AUTHORIZATION ACT

Committee on Rules: Granted, by voice vote, a structured rule. The rule provides one hour of general debate on H.R. 5540, Chesapeake Bay Gateways and Watertrails Network Continuing Authorization Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources.

The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions of the bill.

The rule makes in order only the amendment printed in the Rules Committee report if offered by Representative Bishop of Utah or his designee. The amendment shall be considered as read, shall be debatable for twenty minutes equally divided and controlled by a proponent and an opponent, and shall not be subject to a demand for division of the question in the House.

The rule waives all points of order against the amendment except those arising under clause 9 or 10 of rule XXI. The rule provides one motion to recommit the bill with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard by Representatives Sarbanes and Bishop of Utah.

Joint Meetings

KOSOVO MINORITY COMMUNITIES

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the challenges to minority communities in Kosovo, after receiving testimony from Knut Vollebaek, Organization for Security and Cooperation in Europe, Vienna, Austria.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D670)*

H.R. 2356, to amend title 4, United States Code, to encourage the display of the flag of the United

States on Father's Day. Signed on June 3, 2008. (Public Law 110–239)

H.R. 2517, to amend the Missing Children's Assistance Act to authorize appropriations. Signed on June 3, 2008. (Public Law 110–240)

H.R. 4008, to amend the Fair Credit Reporting Act to make technical corrections to the definition of willful noncompliance with respect to violations involving the printing of an expiration date on certain credit and debit card receipts before the date of the enactment of this Act. Signed on June 3, 2008. (Public Law 110–241)

S. 2829, to make technical corrections to section 1244 of the National Defense Authorization Act for fiscal year 2008, which provides special immigrant status for certain Iraqis. Signed on June 3, 2008. (Public Law 110–242)

S.J. Res. 17, directing the United States to initiate international discussions and take necessary steps with other nations to negotiate an agreement for managing migratory and transboundary fish stocks in the Arctic Ocean. Signed on June 3, 2008. (Public Law 110–243)

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 4, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the nominations of Walter Lukken, of Indiana, to be Chairman, and Bartholomew H. Chilton, of Delaware, and Scott O'Malia, of Michigan, each to be a Commissioner, all of the Commodity Futures Trading Commission, 11 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Defense, to hold hearings to receive testimony from outside witnesses, 10 a.m., SD–192.

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Insurance, and Automotive Safety, to hold an oversight hearing to examine passenger vehicle roof strength safety, 10 a.m., SR–253.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine China in Africa, focusing on the implications for the policy of the United States, 9:30 a.m., SD–419.

Committee on the Judiciary: to hold hearings to examine ways to improve the detainee policy, focusing on handling terrorism detainees within the American justice system, 10 a.m., SD–226.

Committee on Veterans' Affairs: to hold an oversight hearing to examine systemic indifference to invisible wounds, 9:30 a.m., SR–418.

House

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled "Discussion Draft of Health Information Technology and Privacy Legislation," 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Community Opportunity and the Subcommittee on Emergency Communications, Preparedness and Response of the Committee on Homeland Security, joint hearing entitled "Examining the Roles and Responsibilities of HUD and FEMA in Responding to the Affordable Housing Needs of Gulf Coast States following Emergencies and Natural Disasters," 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights, and Oversight, hearing on City on the Hill or Prison on the Bay, Part III Guantanamo—the Role of the FBI, 10 a.m., 2172 Rayburn.

Subcommittee on International Organizations, Human Rights, and Oversight, briefing on the Future of U.S.-Iraq Relations: The Perspective of the Iraqi Parliament," 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on Problems with Immigration Detainee Medical Care, 2 p.m., 2141 Rayburn

Committee on Natural Resources, Subcommittee on Fisheries, Wildlife and Oceans, to mark up the following bills: H.R. 2964, Captive Primate Safety Act; H.R. 5350, To authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmosphere Administration property located in Norfolk, Virginia; H.R. 5451, Coastal Zone Reauthorization Act of 2008; and H.R. 5741, Shark Conservation Act of 2008, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Information Policy, Census, and National Archives, hearing on Does Federal Statistical Data Adequately Serve People Living with Disabilities? 2 p.m., 2154 Rayburn.

Subcommittee on National Security and Foreign Affairs, hearing on Oversight of the State Department's Antiterrorism Assistance Program, 10 a.m., 2154 Rayburn.

Committee on Science and Technology, to mark up H.R. 6063, National Aeronautics and Space Administration Authorization Act of 2008, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Assuring Public Alert Systems Work to Warn American Citizens of Natural and Terrorist Disasters, 10 a.m., 2167 Rayburn.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, June 4

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 11:30 a.m.), Senate will begin consideration of the conference report to accompany S. Con. Res. 70, Budget Resolution, and vote on its adoption at 11:45 a.m.; following which, it is expected that Senate will begin consideration of S. 3036, Climate Security Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, June 4

House Chamber

Program for Wednesday: Consideration of the following suspensions: (1) H. Con. Res. 311—Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; (2) H. Con. Res. 335—Authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated; (3) H.R. 3712—The ''James M. Ashley & Thomas W.L. Ashley United States Courthouse'' Designation Act; (4) H.R. 5599—The ''Thomas Jefferson Census Bureau Headquarters Building'' Designation Act; (5) H.R. 1343—Health Centers Renewal Act of 2007; (6) H.R. 5669—Poison Center Support, Enhancement, and Awareness Act of 2008; (7) H.R. 1553—Caroline Pryce Walker Conquer Childhood Cancer Act of 2008; (8) H.R. 5940—National Nanotechnology Initiative Amendments Act of 2008; (9) H. Con. Res. 366—Expressing the sense of Congress that increasing American capabilities in science, mathematics, and technology education should be a national priority; (10) H. Res. 1180—Recognizing the efforts and contributions of outstanding women scientists, technologists, engineers, and mathematicians in the United States and around the world; (11) H.R. 5893—Library of Congress Sound Recording and Film Preservation Programs Reauthorization Act of 2008; and (12) H.R. 5972—United States Capitol Police Administrative Technical Corrections Act of 2008. Consideration of H.R. 3021—21st Century Green High-Performing Public School Facilities Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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