

still displayed prominently on DC license plates today.

It is ironic that the city most closely associated with our democratic Government is the very place that U.S. citizens remain without a voice or a vote in Congress. In the words of Thomas Paine: "The right of voting for representatives is the primary right by which other rights are protected." It is, in fact, the right on which all others in our democracy depend. The Constitution guarantees it, and the U.S. Supreme Court has repeatedly underscored that it is one of our most precious and fundamental rights as citizens.

I know that some opponents argue that the reasons the Founders made the Nation's Capital a separate district, rather than locate it within a State, remain sound, and therefore we should not tinker with their work, even at the cost of continued disenfranchisement of DC's citizens. That argument ignores the commitment we all must have to extending the full franchise to all Americans and to ensuring their representation in Congress. And it ignores the fact that article I of the Constitution explicitly gives Congress legislative authority over the District "in all cases whatsoever." The courts have over time described this power as "extraordinary and plenary" and "full and unlimited," and decades of legislative and judicial precedents make clear that the simple word "states" in article I—which provides that the House of Representatives "shall be composed of members chosen by the people of the several states"—does not trump Congress's legislative authority to grant representation in the House to citizens of the District. Even so, to address the concerns of some, section 2(a)(2) of the bill states that "The District of Columbia shall not be considered a State for purposes of representation in the United States Senate."

The current bipartisan compromise embodied in this bill would increase the number of seats in the House of Representatives from 435 to 437. It would provide one seat for a voting Member representing DC that is predominantly Democratic and one at-large seat for Utah in a district that is predominantly Republican-leaning and which was next in line for congressional representation in the House according to 2000 census data. This legislation strikes the appropriate balance by allowing additional representation for both DC and Utah without disadvantaging either national political party. It embodies a reasonable compromise and allows for a responsible reassessment during the next reapportionment effort.

Congress has never granted the DC Delegate full voting rights in the House. Whether such a Federal law is constitutional has never been placed squarely before the courts. While no one can respond to the constitutionality question with certainty until the U.S. Supreme Court issues a bind-

ing decision directly on point, a bipartisan group of academics, judges, and lawyers have concluded that Congress has the authority to provide for voting representation for the District's people. Upon review of the arguments on both sides, I agree. I believe that the Constitution vests in Congress broad power to regulate national elections and plenary authority over DC under article I, section 8, clause 17, known as the "District clause," to address this problem legislatively without the need for a constitutional amendment.

When even conservative legal scholars—from Judges Ken Starr, former U.S. Solicitor General appointed by President George H.W. Bush, to former Assistant Attorney General Viet Dinh appointed by President George W. Bush—have done exhaustive legal analyses which outline the positive case for Congress granting representational rights to citizens of the District, you know there is a strong case to be made. In any event, it is clear to me that these important constitutional questions should ultimately be resolved by the U.S. Supreme Court, and enactment of this bill would enable us to do just that. If opponents of the bill are so certain of their constitutional arguments, they should, it seems to me, allow those arguments to be tested in the full light of day, in the courts, and be resolved once and for all. If it were to be enacted and then struck down because of constitutional infirmities, it would then be clear that a constitutional amendment is the only viable alternative left to DC citizens. This bill provides for expedited review by the courts of the constitutionality of the law, a prudent step in my view.

Mr. President, I would like to briefly address the issue of the fairness doctrine, which was the subject of two votes yesterday. This doctrine, enforced by the Federal Communications Commission, FCC, for over 30 years, required broadcast licensees to cover issues of public importance in a fair, balanced manner.

The fairness doctrine was established to ensure that there would be a diversity of views available to the public in the limited media market available at the time of its adoption. At the time of its establishment, there were just three major television networks and a far smaller number of radio stations. However, in 1987, the FCC rescinded the policy after concluding that the doctrine was no longer necessary given the abundance of media outlets available to the public.

I have been supportive of the fairness doctrine in the past because a well-informed citizenry is of fundamental importance to our democracy. However, given the incredible communications innovations just over the last decade and the explosion of new news sources, I believe that reinstating the fairness doctrine could prove unnecessary and unmanageably complex. Today, citizens can get their news from the major broadcast television networks, a grow-

ing number of 24-hour cable news networks, dozens of radio stations, and hundreds or thousands of Internet news outlets and blogs.

I supported the amendment offered yesterday by Senator DeMINT because, in my view, such a fundamental issue as how the public gets its news deserves a larger forum for debate than the FCC provides. The DeMint amendment ensures that only Congress would have the authority to reinstate the fairness doctrine. While the FCC will continue to play a critically important role in regulating telecommunications, as the elected representatives of the people, the Members of this body and the House of Representatives must be involved in whether to reinstate such a far-reaching policy.

Mr. President, what is at stake with the DC voting rights legislation is nothing less than a fundamental issue of fairness in voting. Every eligible citizen, regardless of where he or she lives, has a constitutionally guaranteed right to be represented in Congress by a voting Member. This bill is another step forward in our efforts to ensure that all Americans are represented equally before this Government. It is the right thing to do, and this century is the right time to do it. In fact, it is long past due. I commend my colleague from Connecticut, the chairman of the Homeland Security and Governmental Affairs Committee, for bringing this important measure before the Senate and for getting it adopted by the Senate yesterday, even with the unnecessary and unwise addition of the gun provisions, which I hope will be stripped from the final bill. I hope the House will act favorably on it next week and that we will soon have a conference report before us to vote on. The President has made clear he would sign it, and I hope it will be enacted soon. The people of the District have waited much too long for that happy day.

#### COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

Mr. LAUTENBERG. Mr. President, I rise to commemorate the 100th Anniversary of the National Association for the Advancement of Colored People, NAACP. I strongly support the NAACP and I am proud to be a lifelong member. Today, I wish to recognize this organization and the tremendous work it has done fighting for political, educational, social and economic equality for all. America would be a less equal and less just nation without the work and lasting influence of the NAACP.

One hundred years ago on the centennial of Abraham Lincoln's birth, a distinguished group of Americans came together to fight racial hatred and racial discrimination through non-violence. In the intervening years, the NAACP has become one of the most respected civil rights organizations in

the United States, having fought some of country's greatest civil rights battles.

Since its inception, the NAACP has been on the frontlines fighting for racial equality in all areas of life. A team of NAACP lawyers, led by Thurgood Marshall, fought successfully for the desegregation of public schools in the landmark case *Brown v. Board of Education* in 1954. The NAACP also played a key role in ensuring the passage of the 1964 Civil Rights Act and the 1965 Voting Rights Act, laws that are essential to guaranteeing all Americans' full participation in our democracy.

Whether it is combating racial profiling, reauthorizing the Voting Rights Act, or fighting hate crimes and pay discrimination, I have been proud to stand side by side with the NAACP throughout my Senate career.

There is no better way to honor the NAACP's work than to continue its fight for justice and equal opportunity. This fight starts with getting the Nation's economy moving again, and giving every child access to quality education and every family access to affordable health care. I look forward to working with the NAACP and with all my Senate colleagues to make these goals a reality.

#### FILLING GUN LAW GAPS

Mr. LEVIN. Mr. President, while Congress frequently considers important matters, not every day does it pass legislation capable of actually saving lives. The Brady bill, however, signed into law November 30, 1993, has proven to be such a piece of legislation. The Brady law requires that a prospective gun purchaser undergo a criminal background check before obtaining any firearm from a Federal firearm licensee. Created to prevent felons, fugitives, domestic abusers and other prohibited persons from access to guns, the Brady law has been an important tool in the fight to keep our families and communities safe.

According to the Brady Center to Prevent Gun Violence, Brady background checks have blocked more than 1.6 million attempts by high-risk people to buy a gun from licensed dealers through the end of 2007, including an estimated 842,000 convicted felons, 236,000 people convicted of domestic abuse and 68,000 fugitives from justice. Also, during this 15-year period, the total number of robberies and aggravated assaults committed with a firearm decreased from 564,648 in 1993 to 377,331 in 2006, a decrease of 33 percent. The number of murders committed with a firearm also declined 32 percent, from 17,048 in 1993 to 11,566 in 2006.

Despite these significant reductions in crime, much more needs to be done. Brady background checks, for example, are currently only required for purchases from a licensed gun dealer, which only account for approximately 60 percent of gun sales. They are not required for sales between unlicensed

persons, such as sales at gun shows. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives, almost one-third of all trafficked guns are acquired at gun shows and flea markets. These types of settings provide the perfect loophole for unlicensed sellers to offer countless guns for sale with no questions asked. Someone that would not be able to pass a background check in a licensed gun store currently is able to purchase as many guns as they want at gun shows.

As we begin the first session of the 111th Congress, it is my hope that we will take this opportunity to build upon the success of this law. I urge my colleagues to pass sensible gun safety legislation that will fill the gaps in our gun laws.

#### IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

First I do not know why I am writing this since I doubt that the Senate will really hear me, but since you gave me the opportunity to vent here goes.

My husband and I have been married for nine years. Our goal has always been to live within our means. He is an electrician and makes a decent wage and has good health benefits. I am a stay-at-home mom and am busy taking care of our three children (soon four). We have tried to stay out of debt our whole marriage. We currently have our house payment which takes up 27% of my husband's take-home pay each month (This can be lowered if he works overtime but for this sake it is just working a 40-hour week). We then have life insurance policies that are cash policies that take up 08% of our income. We contribute 10% to our faith each month. Then there is 11% used for utility bills, car insurance, etc. The rest is used for gasoline, food, clothing, and unexpected expenses. Last year we were saving 12.5% of my husband's income monthly. This year we are barely making it monthly and saving only 3% if possible.

We can foresee that if energy prices continue it will be hard for my husband to keep

working as an electrician. Pay has not increased as well as costs and living where we do in Idaho we cannot stay in the same town to work. Last year he was traveling over 120 miles a day to go to work and home. It is not unusual for electricians in Idaho to travel at least 60 miles one way. We have tried to accommodate his traveling and moved to the middle of where he has worked but still we figured it costs him 400 dollars a month in gasoline to go to work which is 11% of his income. It is easy to see why we are barely making it.

We are frugal citizens. I do the cooking of food, we pack lunches from home, we have no cable television or cell phones, we grow our own garden, I can our own fruit and vegetables, my husband hunts for venison in the fall which we package ourselves (being the majority of our meat source), and we try to stock up monthly on our food storage. I have been doing less storage because we have less income. I also as the primary shopper have noticed that our food is costing more to purchase.

The problem is not that gasoline is just high. Because it is high food prices are higher, parts for vehicles are higher (we do the majority of our vehicle repairs too), electricity and utilities have raised, taxes are raised to pay for the increase in cities budgets, etc. The 11% we are seeing in gas does not compensate for all the increases because of gas. If we take that into account we would probably see that number grow exponentially.

So we see what gas is doing, what are we doing about it? 1) As a family we are trying to start a business that we can do on the side from home. We sent my husband to Taxidermy School so he can maybe earn a little on the side along with being an electrician. This has been very difficult to do since it costs money and we have very little extra to spend. It has taken us a year to pay for the supplies and tools that are needed. We have spent our savings hoping that in the future it will work out. 2) We make sure he carpools with coworkers so our gas bill is minimal. This so far has been great but we cannot always count on it working out as smoothly as it has. 3) We do not travel; I go out very little and drive only about 50 miles a week. The rest of the time I am home with our kids. On the weekends we stay home and try to entertain ourselves in our yard. We have planted a larger garden to hopefully help us keep out of the grocery store less. We try to stay active as a family. We no longer for fishing, hiking, camping, or geocaching as a family. It is too expensive to go. I have not enrolled our children in anything extra such as soccer, tee ball, swim lessons, etc. because the money is not there to accommodate such wants. With such cuts we are still able to barely make it.

The time has come for people to be extremely frugal, work more than one job, or go into extreme debt to make ends meet. We once were a nation to progress, to succeed, to set the standards . . . are we now becoming a nation in steady decline? How do we reverse such a movement? Will our government written by the people and for the people help us or hinder us? Let us start the upward movement before the decline is too hard for many of our citizens to climb out of. Curbing the costs of gasoline and educating the public on financial security will help many get out of the holes they have dug themselves into, and help others from digging any holes at all. Thanks.

SESHA, Shelley.

Thank you for caring enough to listen to the folk in Idaho. Why does it matter how we feel or what we think? Nothing will change for the working man.