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Senate

The Senate met at 3 p.m. and was called to order by the Honorable MARIA CANTWELL, a Senator from the State of Washington.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer.

Let us pray.

O God, our Father, we wait to serve You as You desire. Make us alert to the needs of those lives You seek to touch. Lead us to opportunities to transform hurting people, bringing relief to captives and comfort to the oppressed.

Empower Your Senators in this endeavor. Use them as ambassadors of reconciliation. Give them such winsome dispositions that they will bless even those who are hard of heart and withered in spirit. May they comfort those who are brought low by sorrow, and lift those who are bowed by life's burden. Use them to inspire those who walk through the valley of shadows.

We pray in Your precious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARIA CANTWELL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 29, 2007.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARIA CANTWELL, a Senator from the State of Washington, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Ms. CANTWELL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Madam President, the Senate will be in a period of morning business for 90 minutes, with the first hour under the control of Senator BOXER and the remaining 30 minutes under the control of the Republicans.

Following morning business, the Senate will resume consideration of the Amtrak legislation. While no rollcall votes will occur today, Members should be here to offer amendments, if they have any, to this legislation.

As a reminder, a bipartisan cloture motion was filed on the Amtrak legislation. Members should file all germane amendments by 3:30 today.

MEASURE PLACED ON CALENDAR—S. 2247

Mr. REID. Madam President, I understand that S. 2247 is at the desk and is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (S. 2247) to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

Mr. REID. Madam President, I object to any further proceedings with respect to this legislation.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that my remarks not count against the time of Senator BOXER or the Republicans.

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

PASSING THE ENERGY BILL

Mr. REID. Madam President, last night, temperatures fell in many parts of the east coast and, frankly, even the west coast has been getting cold. It was cold in Searchlight. I talked to my brother this morning and he had to start his fire. Searchlight is much colder than Las Vegas. In parts of northern Nevada, it has been very cold.

All over America, and this morning in the DC area, for the first time this year, people had to reach into their closets for scarves, heavier suits, and even coats for the first time this season. In other parts of the country, there have been colder days earlier. In DC, this is the first one we have gotten.

In Las Vegas, even though it still reaches the high 80s during the day this time of year, even now you can feel an overnight chill in the air. There are parts of Nevada that are really cold. We have had freezing weather in Ely and Elko already this year.

As the temperature falls all over the country, we begin to think about the cost of heating our homes for the winter. That cost has risen steadily during the 7 years of the Bush administration, and we have become even more dependent on fossil fuel.

This morning, as our thoughts turned toward the cold months ahead, the price of oil rose to an all-time record of $93 a barrel. If we don't turn the tide by

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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reducing our dependence on oil and foreign energy sources, every American will be forced to pay more and more to heat our homes and fill our gas tanks.

I went over to my office in the Hart building today. I don't get over there as much as I would like, but I went around and talked to everybody. I have a wonderful employee who has been with me for many years. Her name is Carrie. She lives in Mechanicsville, MD. When the rain hit, it took her 3 hours to get to work and 2½ hours to get home. On a normal day, it takes an hour and a half. She sold her vehicle she loved so much, which was a Chevrolet Tahoe. It would cost her $40 every 2 days for gasoline. She bought a smaller car, and her cost for fuel has dropped significantly. Not just Carrie, but everybody in the country is more aware of the cost of energy. Whether it is for their vehicles or whether it is for their homes, the cost of oil is significant.

We are addicted to oil. That is not just me saying that. Even President Bush said it—even though I think he hasn't done anything about it. He acknowledged we are addicted to oil. I have said on the floor time and again, and I will say it again today: Today in America, we will burn 21 million barrels of oil. Tomorrow, we will use the same; the day after, the same. It is not going down, it is going up. We use 21 million barrels of oil a day. That is almost 3 gallons for every man, woman, and child in our country every day. That is enough oil, every day, to fill a swimming pool, or an oil pool, 10 feet deep, the length and width of 200 football fields—every day. How does the Earth have that much oil? But it does.

Day after day, we consume oil at twice the rate of any other industrialized nation. Our consumption only continues to go up. This oil addiction has become a three-pronged crisis: It does threaten our economy, no question about that. Look what it has done to our environment. It is threatening our national security.

A 10-percent increase in oil prices costs an estimated 150,000 Americans jobs and more than $100 billion of American dollars.

Since 2001, oil prices have risen by more than 230 percent. So clearly these impacts are real and harmful to working families.

Those hard-working, hard-earned American dollars are coming out of the pockets of families, and where is it going? Overseas. Last year, Americans sent almost $300 billion to foreign countries to pay for imported oil. I am not stretching the truth to say that many of those dollars went to governments that don't have our foreign policy interests at heart.

Meanwhile, the world's leading scientists have reached a consensus that the global warming crisis is real, grave, and it is growing. The Nobel Peace Prize was offered this year to, of course, Al Gore and the U.N. study group, which shared it with him, dealing with global warming.

Global warming is here. For people to write, as some do—people who are so determined to say there is no global warming, that is a figment of their imagination. It is here. Why? Because of our gluttony for oil.

Earlier this year, the House and Senate both passed a landmark, comprehensive piece of energy legislation to tackle each prong of the energy crisis. If we can finalize this and help lower prices by reducing our dependence upon oil, we would be developing renewable fuel alternatives and punishing price gougers and begin to turn the tide of global warming.

The legislation we passed was bipartisan. It wasn't just a Democratic bill. We had Republican help. I am happy to see the Presiding Officer here today because no one in recent years has done more to focus on the problems with energy than the Senator from Washington, Senator CANTWELL. Because of the strength and conviction of the Senator from Washington, who was attacked personally in her last election campaign, because she was on the right side of the issue, it didn't affect her; in fact, it probably helped her.

We have to turn the tide of global warming. Remember, we use 21 million barrels of oil a day. By increasing our CAFE standards by 2020, we can save well over a million barrels a day, and some say even more.

In our legislation, we require an additional savings of 10 million barrels a day, on average, by 2030. We set an ambitious schedule to replace about one-fifth of our petroleum consumption with renewable fuels.

At the Nevada Test Site, where we set off approximately a thousand nuclear devices—most of them underground and a few above ground—you could cover that Nevada Test Site with solar panels today, with today's technology, and supply enough electricity for the whole country. It can be done. It is not being done because we have the utilities which, in most every place in the country, are regulated monopolies. They don't want to do it because it is easier to use fossil fuel. Natural gas is expensive, so now we have a mad rush to coal.

I so appreciate that Kansas and Oklahoma, in the last couple of weeks, said: No coal. This is the area we all need to look to, the States of Kansas and Oklahoma. We should look to them as role models because they have done the right thing.

We also need more cooperation from energy companies. The utilities aren't going to do it. Last year, oil companies brought in almost $120 billion in profits. Yet they are doing nothing to help us. The automobile industry is doing nothing to help us. Certainly, the Bush-Cheney administration—the most energy-dependent administration in history—nobody has been closer to the oil industry than this administration. They both made their fortunes in oil.

Instead, though, lobbyists for the oil, auto, and coal industries are trying their best to weaken our bill or stop its progress. In Nevada, I came out against the coal-fired plants they are pushing there. They are spending millions of dollars in the small State of Nevada to try to show I am wrong by opposing coal-fired plants, saying: We want to build a bridge to alternative energy. Let us build a few coal-fired plants and then we will do it.

That is a lost cause. They are doing that because it is the cheapest way to do it. They could build solar plants, wind, and geothermal for no more than what it cost to build these coal-fired plants. It would be as many construction jobs, but it would be something different. If it hasn't been done before, they don't want to do it. Imagine where we would be today if they agreed to join us in this fight. We know the administration simply had secret meetings and made sweetheart deals with the oil companies, and they refused to let the press know about it. The press went to court, and the court upheld the secrecy of the White House.

The time to stand in the way of progress should be long past. Since we passed the Energy bill on a bipartisan basis, Senate Republicans have stopped us from going to conference. We cannot stop. We need to continue to work with the House to pass a bill, despite these challenges. I hope and believe Democrats and Republicans will find common ground and set a new course that will keep us safe for our economy and protect our planet.

In the Senate, our bill had something the House bill didn't. It raises CAFE standards, a renewable portfolio. It seems we ought to be able to marry the two and agree to the demand of the American people.

Today's record oil prices alone should be enough to convince us we must act quickly to complete the Energy bill and pass it into law.

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 for the transaction of morning business for 90 minutes, with Senators permitted to speak therein for up to 10 minutes each, with Senator BOXER controlling the first 60 minutes, and the last 30 minutes under the control of the Republicans.

The Senator from California.

GLOBAL WARMING

Mrs. BOXER. Madam President, I have been waiting to speak to the Senate to place in the RECORD the case that we have to make to take action to ease the impact of unfettered global

warming. I think most Americans know by now—at least those who follow environmental issues—that on our committee, we have Senator INHOFE, who is the former chairman, in a very different place than the current chairman, myself. Senator INHOFE spoke for a couple of hours on this subject last week, and I told him I would come down and put forward my thoughts. I am sure he will want to respond to what I say. That is what the Senate should be. We should be able to debate. I have been looking forward to this debate because, frankly, there are very few isolated and lonely voices who keep on saying we do not have to worry about global warming. Those voices are getting fewer and fewer.

The reality is that a growing and diverse group of voices has recognized the importance of addressing global warming.

Here are a few calls to action. Some might surprise you. For example, President Bush, on September 28, said:

> [Y]ears from now our children are going to look back at the choices we make today, at this deciding moment. . . .

He goes into it and says:

> . . . it will be a moment when we turn the tide against greenhouse gas emissions instead of allowing the problem to grow. . . .

This is President Bush in September.

Again, some of these voices are surprising as we build our case for action in the Senate.

Gov. Charlie Crist, a Republican Governor from Florida, said:

> We're all on the same planet. We need to work together to make sure the environment is an issue at the forefront. It shouldn't be a political issue. It's a global issue. It's not bipartisan. It's nonpartisan.

Certainly, in my own State, Governor Schwarzenegger and the Democrats in the legislature have worked very closely to make sure we move against unfettered global warming.

''Vatican to Become World's First Carbon-Neutral State.'' This is very recent, this year:

> The Vatican is installing solar panels and purchasing greenhouse gas offsets to become the first carbon-neutral sovereign state.

We can see that everyone is working together except for a few. It is unfortunate because in the Senate, a few can stop us from doing our work. We already heard about some of the problems we are having getting the Energy bill through. But I am very optimistic because we have had a bipartisan breakthrough in the Environment and Public Works Committee with Senators WARNER and LIEBERMAN getting together and putting forward a very solid bill which, if it is enacted, will be the most far-reaching global warming bill in the world today.

Earlier this year, the U.S. Climate Action Partnership, known as USCAP, which includes major corporations, joined together with environmental groups to issue a call for action on global warming, calling for reductions of 60 to 80 percent in greenhouse gas emissions by 2050. I thought I would go over some of the members of U.S. Climate Action Partnership because, again, there are just a few voices out there saying we are putting our head in the sand, this isn't a problem. But mainstream America is with the program. Let me tell my colleagues who they are. I am just going to read a few: Alcoa, Boston Scientific Corporation, BP America, Caterpillar, Inc., Chrysler, ConocoPhillips, Deere, Duke Energy, DuPont, Environmental Defense, Ford Motor Company, General Electric, General Motors, Johnson & Johnson, National Wildlife Federation, Natural Resources Defense Council, PepsiCo, Pew Center on Global Climate Change, PG&E Corporation, Shell, Siemens Corporation, Dow Chemical Company, the Nature Conservancy, World Resources Institute, and Xerox corporation.

We can see the diverse members of the American family from corporate America to environmental organizations that have gotten together and have urged us to cap greenhouse gas emissions and cut them. It is very important that we think about the amazing coalition that is out there behind us addressing global warming. When we hear some Senators come down to the floor of the Senate and say this is ridiculous, this isn't an issue, just remember this list of mainstream America urging us forward, urging us to act.

Why should so many industries be calling upon us to enact climate legislation? Because they recognize a couple of points. One, the science is strong, it is irrefutable, and a sound business future for America lies in dealing with climate change. We cannot grow, we cannot move forward if we all of a sudden turn around and our planet is under threat. We cannot have a business looking out 50 years that does not think about this. We have to think about our grandkids and our great-grandkids, and corporate America thinks about the people who are going to come forward to continue the work of that corporation. They recognize the threat, but they also recognize the opportunities.

Let's read from USCAP's call for action. It is very clear:

> We believe that a national mandatory policy on climate change will provide the basis for the United States to assert world leadership in environmental and energy technology innovation, a national characteristic for which the United States has no rival. Such leadership will assure U.S. competitiveness in this century and beyond.

This is a very strong call for action from Republicans, from Democrats, from Independents, from corporate America, from the environmental community, and others that have joined together.

All you have to do, Madam President, is pick up a newspaper, any newspaper—I don't care if it is a Republican editorial board, a Democratic editorial board, or Independent—and you will see an amazing amount of evidence as to global warming and its potential impact. I am going to go through a few recent headlines. I asked my staff—and they do an amazing job for me—to follow the news and let me know what is being written, what the scientists are saying. So I am going to give you just an example of some of these headlines. If we can walk away from this, then it seems to me we are being irresponsible. We have to listen to them.

Early warning signs: ''Greenhouse Gases Fueled 2006 U.S. Heat.'' This is Reuters.

> According to NOAA—

That is the National Oceanic and Atmospheric Administration. That is the Bush administration's NOAA—

> ''the annual average U.S. temperature in 2006 was 2.1 degrees Fahrenheit above the 20th century average and the ninth consecutive year of above-normal U.S. temperatures'' and that this was a result of ''greenhouse gas emissions—not El Nino or other natural phenomena.''

This is our American Government under the President who has been very loath to move on global warming, warning us about these high temperatures.

''Scientists Report Severe Retreat of Arctic Ice.''

> The Cap of floating sea ice on the Arctic Ocean, which retreats under summer's warmth, this year shrank more than one million square miles—or six Californias—below the average minimum area reached in recent decades.

Again, these are scientists from the National Snow and Ice Data Center in Boulder, CO. This is not a matter of opinion; this is fact. They are measuring the ice. I was in Greenland. I saw it myself. Several of us went. It is the most awesome sight to behold, to see these icebergs, the size of a coliseum, bigger than this beautiful Senate floor, taller than this room, floating into the ocean. Each iceberg is an average of 9,000 years old, and they melt within 12 months from the time they get into the ocean. So let's not put our heads in the sand or under the water.

More early warning signs: ''China Blames Climate Change for Extreme Weather.'' This is China. China doesn't really want to move forward. They have been slow to come to the table.

> According to an official from Chinese Meteorological Administration's Department of Forecasting Services and Disaster Mitigation, ''It should be said that one of the reasons for the weather extremes this year has been unusual atmospheric circulation brought about by global warming.''

A lot of people around here say: Let's not do anything until the Chinese come to the table. Now the Chinese are telling us we better watch out for this global warming.

''As Sea Level Rises, Disaster Predicted for Va. Wetlands.'' My colleague, JOHN WARNER, was present at a very important set of hearings where we looked at the impact of global warming on his State. It says:

> At least half, and perhaps as much as 80 percent, of the wetlands would be covered in too much water to survive if sea levels rise 1½ to 2 feet. The analysis was conducted by Wetlands Watch, an environmental group.

Senator WARNER and his colleagues from the DC area all came to that hearing and were very concerned.

''From Greenland to Antarctica, the world is losing its ice faster than anyone thought possible.'' This was in the National Geographic.

Scientists are finding that glaciers and ice sheets are surprisingly touchy. Instead of melting steadily, like an ice cube on a summer day, they are prone to feedbacks, when melting begets more melting and the ice shrinks precipitously.

This is what is happening. You can come down on this floor and you can put a blindfold over your eyes and you can put your hands over your ears and say: I see no problem, I hear no problem. Then you are not really taking in the signs.

''Fires a 'Consequence of Climate Change.''' This is touching my heart because my State has been burning, and all of my colleagues know this and all of them have been most wonderful to us—to Senator FEINSTEIN and to me—about offering help and assistance. In the long run, we need to do something about global warming or we are going to have that horrible combination of drought, low humidity, high temperatures, and terrible winds—weather extremes, Madam President, that you have experienced from time to time. This is what we are going to see.

Greek Prime Minister Costas Kerryman said:

The weather phenomena this year favored, as never before, the outbreak of destructive fires. We are already living with the consequences of climate change.

This gives you an idea. There are some more. ''Climate Change Pollution Rising—Thanks to Overwhelmed Oceans and Plants.''

This is the ''Scientific American.'' We are not taking articles here to show you where there is bias.

The world's oceans and forests are already so full of CO_2 that they are losing their ability to absorb this climate change culprit.

This according to the Proceedings of the National Academy of Sciences.

So, yes, someone is going to come to the floor and say: Oh, look at this great scientist, Mr. ABC, or whatever his name, and he is challenging this. Well, he is challenging the world's leading scientists. And I think it is very important to say there are always people who will say HIV doesn't cause AIDS; there are always people who will say, geez, cigarette smoking doesn't cause cancer; but thank God—thank God—this Government has followed the preponderance of the science and we now are making progress. How sad it would be if America sits on the sidelines while the whole world looks to us for leadership on global warming.

Here is this one.

''The Future Is Drying Up.''

According to Nobel Laureate Steven Chu, diminished supplies of fresh water might prove a far more serious problem than slowly rising seas.

He also remarked:

''The most optimistic climate models for the second half of this century suggest that 30 to 70 percent of the snowpack will disappear.''

No wonder we have people visiting our offices who are already hurting from the recreation industry in this Nation. They see what is happening. They see the handwriting on the wall. We have to act.

Here is this quote:

There's a two-thirds chance there will be a disaster, and that's in the best case scenario.

That is from a prize-winning Nobel laureate. Then this:

''Study Links CO_2 to Demise of Grazing Lands.'' From the Los Angeles Times.

Rising levels of carbon dioxide may be contributing to the conversion of the world's grasslands into a landscape of woody shrubs, much less useful for livestock grazing.

So this has implications for the very way of life we have here in America.

''Parks Face Climate Threat.''

A report shows how climate change could have a huge effect on the Great Smokey Mountains, the Blue Ridge Parkway and other national parks.

This according to a new report by—by whom?—the National Parks Conservation Association.

Folks, this is mainstream thinking. Mainstream thinking. We have to act.

''Likely Spread of Deserts to Fertile Land Requires Quick Response, U.N. Report Says,'' New York Times.

Enough fertile land could turn into desert within the next generation to create an ''environmental crisis of global proportions'' based on a new U.N. report. The report warns of large-scale migrations and political instability in parts of Africa and Central Asia. The report recommends national and international action to address global warming.

Another call to action. And here, from the Intergovernmental Panel on Climate Change, which just won the Nobel Peace Prize, along with former Vice President Al Gore:

Projected trends in climate-change-related exposures of importance to human health will increase the number of people suffering from death, disease and injury from heatwaves, floods, storms, fires, and droughts.

So to come down here and talk about the polar bear and say the polar bear is fine—A, the polar bear is not fine, and we will talk about it; but this isn't about the polar bear. This is about God's creation that is in jeopardy. We had testimony from scientists that 40 percent of the species that were created are going to be gone. Now, it is our turn to do our part. That is why I have been working so closely with the religious community, the evangelical community. They are concerned about God's creation, and we ought to be. We talk a good game about it. We talk about values. We talk about it, so let us do something to show we are willing to protect this gift from God we have been given.

''Why Frogs Are Dying.''

Climate change is no longer merely a matter of numbers from a computer model. With startling swiftness, it is reordering the natural world.

Newsweek. That is a Newsweek article.

We need scientific facts, not science fiction. In the past, we have had science fiction writers come and testify before our committee. Those days are over.

''Global Warming May Be Behind Increases in Insects and Disease-Carrying Animals,'' Newsday.

Rising global temperatures may be helping to spark a population boom in insects and disease-carrying animals, creating unexpected threats to human populations, a number of scientific reports say.

That is not a pretty future for my new grandson, to think about being exposed to all these vectors that have not attacked us, but this is what lies in our future if we do nothing.

''WHO—the World Health Organization—77,000 People Die Annually in Asia-Pacific Region From Climate Change.'' ''Pollution Cutting Life Expectancy in Europe.'' This was in USA Today.

According to a Report by the European Environment Agency: ''Poor air and water quality, and environmental changes blamed on global warming, have cut Europeans' life expectancy by nearly a year, Europe's environmental agency warned.''

Well, Europe is moving forward. To be honest with you, the bills they are looking at in Europe don't quite match the bill we are looking at in the EPW Committee. That is why I am so proud of the work Senator LIEBERMAN and Senator WARNER have done, and we are only making this bill better.

''Report Calls on Europe to Move on Global Warming.''

The European Commission report warns that unless there is planning, European countries will face ''increasingly frequent crises and disasters which will prove much more costly and also threaten Europe's social and economic systems and its security.''

The point is, when you invest now, you save $5 later. That is a fact. We know that from Sir Nicholas Stern, who headed the World Bank.

Now, how about national security? One of the reasons I got so concerned about this is when I learned what our own Pentagon and our own intelligence people are saying to us. And what are they saying to us?

A report commissioned by the Department of Defense in 2003 found that the impacts of global warming would cause the U.S. to ''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.''

And, of course, our Pentagon and our Department of Defense are very concerned about that happening with our allies in Europe.

''Warming Will Exacerbate Global Water Conflicts.''

According to many studies, including the IPCC, changing weather patterns will leave millions of people without dependable supplies of water for drinking, irrigation, and power.

Now, the reason I took so much time and made all these charts—because it did take a while to get them done—is

to show the breadth and the depth of the concern in this country, in the world, to make the point that there is a huge movement in this country and in the world to address global warming. We are not going to listen to those who have their heads in the sand or, frankly, have decided they want to leave this for another generation. That would be irresponsible. I know you, Madam President, and I share a conviction that this is our job. This information has been given to us on our watch, and we intend to stand up to the challenge.

When Senator INHOFE came on the floor, he made a number of statements which were not true, and I am going to deal with a couple of them. He used an MIT report in a misleading fashion. Senator INHOFE has frequently claimed an MIT report shows the Boxer and Lieberman bills would lead to a $4,500 tax on a family of four. But the author of the MIT report, John Reilly, said:

Senator INHOFE misread his findings. Rather than impose a tax of $4,500 as Inhofe described it, he said, the study shows the regulation could generate a substantial amount of Federal revenue for the government to give back to Americans. A family of four, Reilly said, could earn an additional $4,500 if the United States adopted a carbon tax or auctioned off carbon credits.

So let us not misquote authors around here, because that is not the right thing to do for them nor is it the right thing to do to mislead our colleagues.

I mentioned the polar bears before, and many of us have been touched to see the polar bears clinging to smaller and smaller pieces of ice in order to survive. Senator INHOFE has claimed—and he claimed it on the floor—that the polar bear populations are increasing.

The best-studied population, in Canada's western Hudson Bay, fell by 22 percent from 1,194 animals in 1987 to 935 in 2004, according to—who—the U.S. Fish and Wildlife Service.

Our own people are telling us that the polar bear is in trouble.

The World Conservation Union projects that the bears' numbers will drop by 30 percent by 2050 due to continued loss of Arctic sea ice.

I think it is important that we talk about facts. Science must dictate what we do, not ideological arguments that don't have any weight behind them. The leading scientists of the world, including the Intergovernmental Panel on Climate Change, which I earlier mentioned, and which won the Nobel prize along with Vice President Gore, and the IPCC included hundreds of scientists, the best scientists from 130 nations—they tell us clearly that global warming is happening now and human activities are the cause. I believe we can meet this challenge, with hope, not fear. I believe when we meet this challenge, we will be stronger as a nation and we will be healthier as a nation.

And, by the way, we will create a whole new array of green-dollar jobs. My own State, a leader in the environment, has proven the point that when you step out and you address the needs of the environment, what comes with it are only good things—prosperity, job creation, and healthier families. We are doing it in our State with global warming and, by the way, many other States are following. If we did nothing, it would be a shame. It would be a shame if the America we love so much stood by and said: Well, gee, let a few States go off on their own.

This is a seminal issue, and we need to do something about it, because doing nothing is not an option we can afford. The potential consequences will be devastating for our families in the future and for the world.

We are seeing the early warning signs. People can come down to this floor and say whatever they want. We have seen melting of snow, we have seen melting of permafrost, increased temperatures, warming of lakes, rivers, oceans, changing in the seasons, shifts in the ranges of plant and animal species, rising sea levels.

In the future, we can expect to see more extreme weather events, more severe heatwaves, droughts and flooding, increased storm surges and, sadly, an increased incidence of wildfires. We will see extinction of species, we will see freshwater resources at risk. By 2020, between 75 million and 250 million people will be exposed to increased water stress due to climate change in Africa.

In Asia there will be problems. Warming in the western mountains of America is projected to cause decreased snowpack and reduced summer flows, resulting in even greater competition for already overallocated water resources.

I mentioned this figure before—we did hold 20 hearings on global warming. At one of them, we had scientists who were experts on wildlife. I remember sitting there, being so saddened to hear that if we do nothing, 40 percent of God's species on planet Earth could face extinction.

Now we hear our oceans are at risk as well. The British Royal Society projects that progressive acidification of oceans due to increasing carbon dioxide is expected to have terrible impacts on marine life, such as corals and their dependent species. You have heard of coral bleaching. It is cause by increased water temperatures as well as the oceans becoming acidic from storing excess carbon. The water becomes so acidic some marine life, such as shellfish and coral reefs, can no longer form their shell, as it dissolves in the acidic water.

The IPCC found that pests, diseases, and fire are having terrible impacts on forests, with an extended period of high fire risk and large increases in areas burned. Again, I wish to use this moment to thank the firefighters in my State, all of them—local, State, Federal—working seamlessly together. We have the most extraordinary heroic firefighters in California, as we do all over this country. Their jobs are becoming more and more dangerous as these fires are so strong and are fueled by droughts, high temperatures, low humidity, and high winds.

I mentioned before that in July, I was in Greenland. I was there with 10 Senators and Dr. Richard Alley, an expert on ice from Penn State, who accompanied us on the trip. It was amazing to see this whole situation with him at my side. What I learned from him is Greenland's ice is melting faster than anyone thought. In some places, the glacier ice is moving so quickly, if you stand there you can actually observe it moving.

In the past year, new islands were discovered that were previously connected to the main mass of ice. The Greenland ice sheet holds enough ice to raise sea levels globally by 23 feet. Think about 23 feet. Sea level increases of only a few feet will cause major disruptions.

I wish to talk about public health. Public health officials have issued a call to action. We had a hearing the other day and we heard from the Director of the Centers for Disease Control and Prevention. Unfortunately, her testimony was heavily edited by the White House. I am working very hard, with other colleagues, to get her original draft. Let me tell you, we are not going to rest until we get that. But the fact is the public has a right to know everything about global warming and the threat it poses to their families and to their communities.

At the same hearing where we heard from Dr. Gerberding, the Commissioner of the Tennessee Department of Health presented the committee with a position statement from the Association of State and Territorial Health Officials on Climate Change and Public Health. Their statement was adopted unanimously.

Yes, if a Senator wants to come down here and condemn all the public health officials in the country and claim they get some benefit out of this, let the Senator do it. The fact is, they have said they support the latest findings of the U.N., and they recognize that climate change has far-reaching implications for public health.

According to the IPCC, climate change has already altered the distribution of some infectious disease vectors and the seasonal distribution of some allergenic pollen and increased heat wave-related deaths.

We are already seeing and we are already feeling the difference. If trends continue, we could see increased malnutrition and related disorders, including those related to child growth and development. We will see increases in the number of people suffering from disease, injury, death because of heat waves and because of droughts and fires and all the things we mentioned.

The World Health Organization has estimated that human-induced changes in the Earth's climate lead to at least 5 million cases of illness and more than 150,000 deaths every year already.

We saw the European heat wave which caused countless numbers of illnesses and claimed 35,000 lives. That is accurate—35,000 lives were lost.

You can come down to this floor and you can say everything is beautiful, but you are not in touch with reality.

We are beginning to see right here in America what happens when the water warms. The Associated Press reported on September 27 that a 14-year-old boy died from an infection caused by an amoeba after swimming in Lake Havasu. According to a CDC official, these amebas thrive in warm water and as water temperatures continue to rise, we can expect to see more cases of these amoeba infections.

We are going to see an increase of ground-level ozone or smog because that is formed at higher temperatures. We know smog damages lungs and can cause asthma in our kids. We already have asthma as the leading cause of school absences in my State. I cannot speak for other States, but we have major problems with dangerous smog days.

We know about wildlife. We know, as I said, that 40 percent of the species are at risk of extinction if we do nothing to reduce global warming. The U.S. Fish and Wildlife Service concluded that shrinking sea ice is the primary cause for the decline in polar bear populations. Senator INHOFE comes down and says the polar bears are doing great: Wrong. False information. Listen to your own administration's U.S. Fish and Wildlife Service. The shrinking sea ice is the primary cause for the decline in polar bear populations.

Guess what. This administration—because it was threatened by a lawsuit—proposed listing the polar bear as threatened under the Endangered Species Act. So come down here and show pictures of those magnificent polar bears, saying everything is fine—that is wrong. It is wrong by every measure, by every scientific account, by our own U.S. Fish and Wildlife Service.

Global warming is a national security issue, as I mentioned before. People are telling me this current humanitarian catastrophe in Darfur is already linked to the extended drought in the region. The Secretary General of the United Nations said the Darfur conflict began as an ecological crisis, arising at least in part from climate change. This is happening right under our nose. The Senate and the House have been asleep at the wheel—until recently.

A report commissioned by the Department of Defense found the impacts of global warming would cause the United States to ''find itself in a world where Europe would be struggling. . . .'' Projected global warming ''poses a serious threat to America's national security'' and ''acts as a threat multiplier for instability. . . .'' This is all from retired admirals and generals. This is not from BARBARA BOXER. This isn't from Al Gore. This isn't from MARIA CANTWELL. This isn't from Senator WARNER. It isn't from Senator LIEBERMAN. This is from our own retired admirals and generals: Projected global warming poses a serious threat to America's national security.

The United States, they said, could more frequently be drawn into situations of conflict ''to help provide stability before conditions worsen and are exploited by extremists.'' Such missions could be long and require the United States to remain for ''stability and reconstruction efforts . . . to avert further disaster.''

That report also warns of ''extreme weather events, drought, flooding, sea level rise, retreating glaciers, habitat shifts . . . the increased spread of life-threatening diseases'' and increased scarcity of clean water that could ''result in multiple chronic conditions'' and ''foster the conditions for internal conflicts, extremism, and movement toward increased authoritarianism and radical ideologies.''

I have never seen an issue such as this, where we have such a unanimous call for action, a unanimous call for action—from the business community, from environmental organizations, from admirals and generals, from the Department of Defense, from the Wildlife Service—from all over the world. As yet we are nowhere, but we hope to change that.

What are our States and our local governments saying? They are taking action.

I have had the pleasure of having Mayor Gregg Nickels of Seattle before the Committee. He started the Mayors' Climate Protection Agreement in 2005. To date, mayors from nearly 700 cities across America, representing 75 million Americans, have pledged to reduce their greenhouse gas emissions.

So come down to the floor and say what you want. But 75 million Americans are already acting. Come to the floor, say what you want, but the world is passing you by if you close your ears, cover your eyes, and convince yourself that you know more than the scientists of the world know.

California is the sixth largest economy of the world. I am so proud to represent California—37 million people and a spirit of entrepreneurship, a spirit of neighbor helping neighbor. It is an incredible place.

California has set the gold standard with its landmark global warming program, Republican Governor Schwarzenegger and a Democratic legislature setting us on a clear path toward 80 percent cuts by 2050.

You know, what is important about the California experience is look at what we have already done on per-capita energy use. I am so honored that you are in the chair, Madam President, because of your expertise on energy.

We have kept our per-capita energy use steady for more than 30 years, while per-capita energy consumption in the rest of the Nation has doubled. If the whole country could have been as efficient as California, we would have saved an amount of energy equivalent to all the oil we import from the Middle East each year. Can you imagine that? So when people fight against doing something about global warming, I say: If you look at the low-hanging fruit, which is energy efficiency, and look at what my State has done and now other States are doing, we can get halfway there without one sacrifice.

I don't think anyone has ever said that Californians do not lead a very happy, pleasant life. I don't think anyone looks at Californians: Oh, those poor people, they are so unhappy because they are energy efficient.

On the contrary, we have a booming economy and we have people who are feeling good about themselves because of the contribution they have made. It does not take much to get a refrigerator that is more efficient or get a car that gets better mileage or get an air-conditioner that cuts your energy use in half. I have done it. I have done these things. I am saving money. I am driving my Prius, and I am waving to the gas station because I don't have to go in very often to fill up my car.

People all over this country are already so far ahead of where we are. If you want to come down to the floor, if you want to take issue with 75 million Americans, be my guest. But you are not being honest with the facts. The facts are clear.

Twenty-nine States have completed climate action plans and a number of States have established mandatory reduction targets, again including my home State. Last week, Gov. Kathleen Sibelius of Kansas wrote an open letter to the people of her State, expressing her support for clean energy. What is happening in Kansas? Good things. The State's environment secretary rejected applications to build two new coal-fired powerplants. They want cleaner energy. They want clean energy. They see they are going to move in that direction. The Governor of Kansas understands what we are facing. If you want to come down on the floor and tell her she is wrong, be my guest. It is a free country. But you know what? You are not going to change her mind and you are not going to change the minds in so many States that are moving so far past us it makes your head spin.

Addressing global warming has major benefits. I have given you the truth about the dangers of global warming because a lot of people walk away. I wanted you to hear the truth about the dangers of global warming. Now I want to tell you what gives me hope. When we step up to the plate, we are going to benefit. We cannot only prevent the most dangerous effects of climate change, but we are going to be better off for it. I already mentioned Sir Nicholas Stern, former chief economist of the World Bank. He said: Spend a dollar now, save $5 later. So people are going to come on the floor and they are going to say: Oh my God, they are spending money on this.

No, we are going to save money, because if we can avert the worst problems of global warming—you can't

build a flood protection tall enough unless we do something now. Do you know what it costs to build that flood protection? We know because we passed the Water Resources Protection Act and we kept our promises to the people of New Orleans and the others from Katrina and Rita who suffered so much.

To take a little segue, the President is threatening to veto that bill. Now, that is one where Senator INHOFE and I are exactly together. We cannot walk away from building an infrastructure, but the point is, building an infrastructure to protect against the type of floods that could come if we do not act is going to be so much more expensive than investing the dollars now. And that is the point.

Since 1990, Britain has reduced its greenhouse gas emissions by 15 percent. Guess what. Britain's economy has grown 40 percent. So people can come down to this floor and say: Oh, it is going to wreck our economy. Wrong again. It did not happen in California; it did not happen in Britain.

Britain's environmental industries are the fastest growing sector of the country's economy. I was just there a couple of months ago. They are so excited. Their environmental jobs grew to 500,000 from 135,000 in just the last 5 years.

There is a study at UC Berkeley, University of California, Berkeley. They say that the State product in California, the gross State product, by 2020 will be up by as much as $74 billion, with 89,000 new jobs created because of our work on global warming and our laws.

I have been to Silicon Valley. You are familiar with the entrepreneurial spirit there. They are just waiting to make the kind of investments necessary, but they need to have a clue as to what we are going to do. If we walk away from a cap-and-trade system, which will put a market price on carbon, they are not going to make those investments.

The entrepreneurs in Silicon Valley are on the cutting edge. New companies are starting every day to respond to the growing demand for clean energy and more efficient vehicles and other technologies.

Sun Microsystems is already reaping the benefits of greater efficiency. I just went to visit Sun Microsystems. They made some simple changes in the way they cool their computer servers. They have been able to cut their electrical consumption in half. I will tell you, simple things can save so much energy. Simple things can cut down on global warming.

Tesla Motors, I would urge all of you to follow that company. They are producing an all-electric car with performance that rivals or even exceeds the world's best sports cars. It is exciting. It is in production. It is all electric.

Ms. CANTWELL. Will the Senator yield?

Mrs. BOXER. I will yield to the Senator from Washington.

Ms. CANTWELL. First, I compliment the Senator for her very articulate understanding of the impact of greenhouse gases and where our country needs to go. So thank you for your leadership. We are so happy that you are chairing that committee and showing the fortitude to make sure this legislation starts moving through the Senate.

You mentioned California's experience. I wonder if you would just elaborate on that one more time because I think the point may have been—it sounds so simple but yet so complex. California's savings is what we are trying to do in the Energy bill. Here we have a 20-percent reduction of fuel consumption and a 20-percent reduction of greenhouse gases. That is why we need to pass the Energy bill. But you are talking about California's efficiency, and the efficiency that it achieved was monumental and significant. If you would, emphasize or explain how it is that we should be doing the same thing in the Senate in moving forward on efficiency.

Mrs. BOXER. I thank my dear friend, such a great leader on energy reform, for taking to the floor. I want to say to you, Senator CANTWELL, in California we have kept our per capita energy use steady. In other words, each person's energy use over time has stayed steady for more than 30 years, while the per capita energy use in the rest of the Nation doubled.

Now, we have done it in ways that were very comfortable for people. You know, you look at the energy for appliances, you look at building codes, you look at all the things that we have done, simple things, things you are trying to do in the Energy bill.

Ms. CANTWELL. Madam Chair, did that cost California jobs?

Mrs. BOXER. It created jobs. We have been a leader in jobs. We are very prosperous. We believe our landmark legislation on global warming, the studies show, will create thousands and tens of thousands of green-collar jobs.

I think the point I would like to emphasize, and I know my friend from Missouri will be amazed at this, if every other State were just to emulate that, had emulated that, and we all did this as a national goal, not just one State's goal, we would have saved an amount of energy equivalent to all of the oil we import from the Middle East each year.

That is the amount of savings from the simple things that we can do, some of the things that my friend is trying so hard to get done in the Energy bill.

The fact is, when I look at the whole issue of global warming as a good news/bad news story, the bad news is we really have not tackled it here. The good news is there is so much we can do, so easily, with such benefits.

Certainly, energy efficiency is one.

Ms. CANTWELL. Madam Chair, I thank the Senator from California for answering that question and again for her great leadership on trying to push forward global warming and climate impact legislation in the Senate.

We do have to move forward. Her resiliency in saying the committee will address it, the committee will mark up legislation is the next step in what we need to do in following through. I applaud her for her dedication and for answering that question.

At $90 a barrel for oil, I certainly wish the rest of the Nation would have followed what California has done in that consumption reduction because it would have helped all of us on today's oil prices.

Mrs. BOXER. Madam President, how much time do I have remaining?

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator has 9 minutes remaining.

Mrs. BOXER. Thank you very much. I would just say that the California story is a good news story. California is trying to do more. They have asked the Bush administration for a waiver to move forward in the transportation sector. That waiver has not been forthcoming.

California has gotten 50 waivers in the past. For some reason now there has been a very slow-walking act that has gone along with this request for a waiver. I am hoping that our committee is going to invite many of the Governors of the various States to the Capitol to talk about why it is so key for the Bush administration to grant the waiver.

When I started to talk about what is happening now with the entrepreneurial spirit in my State, I talked about Sun Microsystems reaping the benefits of energy efficiency to their plant.

First of all, they were able to consolidate the space that houses all of their computers, which was a big help. Secondly, just by moving forward with a new way to cool their computers, cool their computers in a low-energy way, they cut their energy bills in half.

I talked about Tesla Motors producing an all-electric car. It is a beautiful car. They are not marketing it as a way to fight global warming. They are marketing it as a beautiful car, one of the fastest cars in the world.

Tesla Motors, I hope you will go and take a look. Their first model is going to be very expensive, we know that. But their next models are going to be half the price. And they hope in the future to get to the $30,000 range. Now, what we are talking about is clean automobiles, zero emissions of greenhouse gases.

There is another company, Bloom Energy, in San Jose. They are creating the next generation of fuel cell electrical generation systems. I visited there and the scientists were explaining how all of this works. I can tell you this technology has the potential to revolutionize the way that electricity is generated. It holds the potential to bring clean electricity to parts of the world that have no electricity now.

So what are the benefits, the benefits of new technology? New jobs, cleaner

air as we reduce the pollution that causes global warming, by increasing our use of clean, renewable energy sources such as wind and solar, driving more efficiently, less polluting cars and trucks, and increasing efficiency. We will reduce other forms of air population too: sulphur dioxide, nitrogen oxides, mercury.

These are issues about which Senators CARPER and ALEXANDER are very concerned. They sit on the Environment and Public Works Committee. With this bill we will see that those pollutants will be reduced as we cut global warming pollution. And that means cleaner, healthier air for us all to breathe.

Now, the IPCC also concluded that household benefits from reduced air pollution as a result of action to reduce greenhouse gas emissions can be substantial. So when I say: I meet this crisis with hope, not fear, I mean it. I think it is going to create jobs. I think it is going to make our communities healthier. I think it is going to make our air healthier. I think it is going to reduce our dependance on foreign countries to supply oil, which is now up to $90 a barrel.

We know oil is a critical strategic interest of America. Our reliance on oil-rich rogue states and unstable regimes has been at the heart of wars and interventions in the Middle East. As we develop these clean, renewable sources of energy, which is all going to be done by the private sector, my venture capitalists at home cannot wait to make these investments, but they will not make them unless we take the lead on a strong anti-global-warming bill.

Now, world leadership, the United States has always been the world leader on environmental protection. The core environmental laws that we created and enacted, most of them through the committee on which I am so proud to be a part of, the Clean Water Act, the Clean Air Act, Safe Drinking Water Act, National Environmental Policy Act, and others, have been models for environmental policy around the globe. The global warming legislation we pass will take its place alongside those landmark laws. It is time for us to step up and set the pace.

Now, again, our States are doing it. I want our States to continue. I really do. But I really do believe this is an issue that belongs in the Senate. By leading now, we can ensure that the solutions to global warming are designed in ways that are good for America, good for our businesses, good for our consumers, good for our kids. We have the technology and know-how to export. Now is the time to move forward.

Well, I have been working very closely with Senators WARNER and LIEBERMAN as they have assembled their bill. I was so impressed with the effort they have invested in seeking out the views of Senators and other groups, environmental organizations, business organizations.

They have looked at all the other global warming bills that have been proposed: the Sanders-Boxer bill, the Kerry-Snowe bill. They have looked at the Lieberman-McCain bill and the Bingaman bill. I think those are all of them. There has been a broad range of views that they have reconciled in the process. I have laid out some important principles that I believe must be reflected in the legislation. Any bill has to have the emission reductions that will avoid dangerous climate change. It must be flexible to have look-back, to make sure we are on course. We need an emissions trading program so there is a price put on carbon by the private sector. We must protect the pioneering State efforts that are already underway. We need to ensure that other countries are stepping up and doing what they have to do. There are ways to enforce that, frankly, because a lot of folks want to trade with us. If they want to come in and trade with us, they better make sure they are not adding to this problem.

Natural resources and wildlife concerns must be addressed. We must support American workers in their transition as we move to a greener economy and see, again, as they have in Great Britain, how many jobs would be created.

I also want to express the moral imperative that was really brought to me by the religious community. The most vulnerable here and around the world have to be protected. I know we have colleagues who continue to say we have to do it, and they are absolutely right.

There is no time to waste because the longer we wait, the harder it will be to achieve the goals we have to achieve—before we find we are spending a fortune on flood control and we are spending a fortune to try to mitigate the terrible ravages that global warming will bring.

The point is, with good legislation we have these lookbacks. If we are on target, fine. If we are doing too much, we have a way to back off. If we are not doing enough, we could do more. That is the beauty of the Lieberman-Warner bill.

I believe there is unprecedented momentum for change. Yes, you are going to have a few voices come down here and say this is ridiculous, this does not make any sense. That is fine. That is their right. But, again, in every great issues debate, you always have a few people who stand outside the mainstream, and I respect that. I absolutely give the folks who have that point of view all the time they want to express themselves.

But the bill Senators Warner and Lieberman have crafted can set us on the path to achieving the goal of avoiding dangerous climate change. It is a bipartisan, mainstream breakthrough, and I am committed to further strengthening this legislation as we move forward because the legislation establishes a framework on which we can build. It embodies key concepts—such as cap and trade and lookbacks and it draws on the other strong global warming bills that have been proposed. It gets us started. Time is short.

Now, there are a few who will say we should not do anything.

Madam President, I ask unanimous consent for 60 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. BOXER. I thank my friends for yielding me that 60 seconds because what I want to do is wrap up.

Some will say: This is not an urgent problem. Do nothing.

Others will say: Do nothing until you go to the extreme, until you go to the 90-percent cut. Let's wait for a new President. Let's wait for a new Congress. Let's wait for a new day. Let's wait for the Sun to come out. Let's wait for the rain to fall.

I do not ascribe to either of those extremes.

We have the facts now. We have a good bill now. We have an unprecedented opportunity to send a signal to this country and to the world that we are ready, finally, to move to calm the effects of unfettered global warming. I think we can do it. I think we can be successful at it, and I do approach this with great hope.

Some have tried to argue that we should not act now. These people say we should wait for a new President, a new Congress, another day.

As I say, there is no time to waste. Right now, there is unprecedented momentum for change. We must harness that momentum to pass strong global warming legislation. We have a small window of time to get started down this path. The longer we wait to get started, the harder it will be to achieve the emissions reductions we know we need to reach. Starting now will send a signal to the world and the business community as they make their future plans that the United States is serious about its leadership role.

Some have asked me, Why should we pass legislation now, when the President has said he is opposed to mandatory caps on global warming pollution and a cap-and-trade system?

The President and I agree that technology is the solution. But he still won't accept that it won't happen on its own, not unless the price of carbon is built into the process. We still hope to change his mind, but even if we do not, we must begin the hard work of the legislative process. It takes time, patience, fortitude, and courage. Very few laws are passed the first time around. We must take good legislation as far as we can. It is our job to start down the path.

I have a vision for my 11-year-old grandson and for my new grandson who was born a few months ago.

My vision is that these children and yours will grow up and be able to know the gifts of nature that we saved for them, that they will understand we made the right choice for them—we protected the planet that is their home—that because of our action they

will not be shackled into fighting wars over the last drops of water or oil or remaining acres of arable cropland. They will not have to spend their last treasure building higher flood walls, bigger levees, and fortified cities to escape rising seas and angrier hurricanes.

Their cars will run on clean renewable fuels that do not pollute the air they breathe. The United States will lead in exporting clean technologies and products that are the engine of a new green economy. We will lead the world in showing the way to live well, in a way that respects the Earth.

To make this vision a reality, we must face our challenge in a way that overcomes our differences, and that defies our party affiliations.

Madam President, I yield the floor to my friend, Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Thank you, Madam President. It is my understanding—I would ask for clarification—I am entitled to 30 minutes.

The PRESIDING OFFICER. The Republicans control the remaining 30 minutes of morning business.

Mr. INHOFE. Thank you very much.

GLOBAL WARMING

Mr. INHOFE. Madam President, let me, first of all, say it would be very difficult to, in only 30 minutes, refute everything that was just said. Interestingly enough, I was honored to have about 2 hours 10 minutes on the floor last Friday to tell the truth about this subject of global warming. I have had a chance to do that. I have very carefully written down all the points that were made by my good friend from California, and I am going to try to get through these as quickly as I can within that 30-minute period of time.

First of all, on the wildfires in California—this is interesting because everything that is out there that is distasteful is blamed on global warming. People say: Oh, it must be true; that is what I read in the newspapers.

I believed, 4½ years ago, it was true. We all know that the Northern Hemisphere has been going through a period—up until about 7 years ago—where it was warming. That has stopped. But it was true at that time. So I assumed it had something to do with manmade gases until we started looking at it and realizing the science just isn't there.

On wildfires out in California, just real quickly, it is interesting, the Los Angeles Times headline was ''Global warming not a factor in wildfires.'' An excerpt from the article reads: Are the massive fires burning across southern California a product of global warming? They say no. Scientists—almost unanimously—say that has nothing to do with it.

In fact, it is kind of interesting; it is reported: The Santa Ana winds, which typically have gusts of up to 45 miles per hour, were recorded at more than 80 miles per hour several times this week—strong but inside the range of normal variability.

Meteorologist Joseph D'Aleo said this past Friday:

> The unfortunate fires can be explained very nicely by natural factors.

Environmentalists would not allow brush clearing. He goes on to talk about the prohibition against clearing up accumulated brush from the areas surrounding housing developments that was instituted at the insistence of the Sierra Club and other environmental organizations.

Climatologist Patrick Michaels debunks the wildfire-global warming link. Do not blame this on global warming. There is no trend whatsoever in the frequency of heavy-rainfall years and so forth. He goes on and on. So that just flat is not true.

Now, the Senator from California has claimed, on several occasions, it would be cheaper in the long run to immediately enact regulatory policies aimed at controlling the Earth's global temperatures. The claim is clearly wrong. Of the half dozen major bills introduced in the Senate, all will harm the economy, yet none will put a dent in global warming, even if the worst fears were well founded.

Earlier this month, the Environmental Protection Agency concluded that over the long run each bill before Congress, including those that would reduce U.S. emissions by 70 percent—70 percent—would only reduce global concentration of greenhouse gases by 4 percent—just 4 percent.

Here is something that is interesting. When former Vice President Al Gore was in office, he went to Tom Wigley, who at that time was a very renowned scientist and one of his top advisers. He said: What would happen if all developed nations—not the developing nations such as China and other countries where they do not have any control over what can be done there, but if developed nations all signed on to the Kyoto treaty and lived by their emissions, how much would it reduce the Earth's temperature in 50 years? The result was 0.07 degrees Celsius. Now, that is if everybody did this and inflicted all the damage.

In June of this year, China—this is something which is kind of interesting; they try to blame America and our emissions on greenhouse gases—they were projecting we would be the No. 1 greenhouse gas emitter by 2040. We were shocked to find out that just recently China already passed us. So they are increasing their emissions of greenhouse gases at a real rapid rate. As a matter of fact, we went through the 15 years prior to 2005 by having no new coal-fired generating plants. China is now cranking out one every 3 days. This is kind of interesting because as we lose jobs to China, because we do not have the energy here, they are going to be using technologies that are not nearly as ecologically refined as ours. So it is going to end up having the effect of even more and more greenhouse gases.

Now, when Time magazine named the Model T Ford the 20th century's worst environmental product because it brought mobility and prosperity, it was clear that common sense has been turned on its head in this country. Almost a century ago, when the first Model T was rolling off the assembly line, the average American could expect a lifespan of 53 years and an inflation-adjusted income of only $5,300 a year. Now that the automobile is here and we can take people long distances—to hospitals and that type of thing—we are now looking at an average lifespan at 78 years as opposed to 53 years and an annual income, adjusted for inflation, of $32,000. Yet, despite this, some are still making the claim it will not be all that harmful to the economy to take drastic action in trying to do something about this. They keep insisting that China and other countries will mimic us. I think it is pretty reasonable that when China's Deputy Director General for Environmental Affairs makes such uncompromising, clear statements of China's policies to pursue an economic growth agenda first and foremost, we would be wise to take him at his word.

Adopting these policies will only cost the country trillions of dollars over time on the naive belief that if China sees how serious our country is, it will decide, in the goodness of its heart, to do this. This is just not right. They made it very clear they do not have any interest in doing that at all.

Now, when we talk about the Kyoto protocol—which is the first one that came along—I think it is interesting that of all 15 Western European countries that joined the Kyoto protocol, only 2 out of 15 have lived within the emissions, have emitted the amounts that were acceptable by the protocol. One of those is Great Britain, and right now they are increasing their emissions of greenhouse gases.

The facts above may be what prompted the journal Nature to publish an article declaring that Kyoto is dead and that we need a new approach, one remarkably similar to the Bush approach, and that is the Asian Pacific Partnership Act, which I talked about for quite a while last Friday, which I will not repeat now.

The Senator from California relied on the 2006 Stern report from Britain to bolster her claim. Senator BOXER stated:

> This is a very important moment in time. The cost of doing nothing, according to the leading economist on this topic in the world, Nicholas Stern, is five times what the cost will be to address this issue now.

Now, I do think this is worth spending a little bit of time on because my good friend, the junior Senator from California, spent quite a bit of time on this subject.

What did the experts say about the Stern report?

Economist Richard Tol of Hamburg University, one of the world's leading

environmental economists, tore apart the Stern report on January 26, saying:

If a student of mine were to hand in this report on a Master's thesis . . . [it is] likely I would give him an ''F'' for fail. There is a whole range of very basic economics mistakes that somebody who claims to be a Professor of Economics simply should not make.

Tol said, according to the BBC:

Stern consistently picks the most pessimistic for every choice that one can make. He overestimates through cherry-picking, he double counts particularly the risks and he underestimates what development and adaptation will do to impacts.

Danish statistician Bjorn Lomborg critiqued the Stern report in a November 2, 2006, Wall Street Journal op-ed piece. He said:

The report seems hastily put-together, with many sloppy errors. As an example, the cost of hurricanes in the U.S. is said to be both 0.13 percent of U.S. GDP and 10 times that figure.

Lomborg wrote:

It seems naive to believe that the world's 192 nations can flawlessly implement Mr. Stern's multi-trillion-dollar, century-long policy proposal. Will nobody try to avoid its obligations? Why would China and India even participate?

Particularly when they stated they would not do it.

Roger Pielke, Jr., the director of the University of Colorado's Center for Science and Technology Policy Research, also chided the Stern report for ''cherry picking'' data on October 30, 2006. Pielke wrote:

The Stern Report's selective fishing out of a convenient statement from one of the background papers prepared for our workshop is a classic example of cherry picking a result from a diversity of perspectives, rather than focusing on the consensus of the entire spectrum of experts that participated in our meeting.

Quoting further, he said:

To support its argument the Stern Report further relies on a significantly flawed report from the Association of British Insurers, which we critiqued here. Its presentation of the future costs of disasters and climate change is highly selective to put it mildly.

Australian Paleoclimate scientist Dr. Bob Carter ridiculed the Stern report in a November 3, 2006, article:

The Stern warning could join Paul Ehrlich's ''The Population Bomb'' and the ''Club of Rome's Limits to Growth'' in the pantheon of big banana scares that proved to be unfounded.

It goes on and on in some detail criticizing the report.

Yale University's Sterling Professor of Economics William Nordhaus recently authored a study on the economic effects of climate change titled ''The Challenge of Global Warming: Economic Models and Environmental Policy.'' The study revealed that so-called global warming solutions would cost two or even three times the benefits they would theoretically achieve. Nordhaus was specifically critical of Stern's use of novel methodology, in which he assumes a near zero discount rate which dramatically increases the benefits of addressing global warming.

The New York Times captured the views of mainstream economists in its February 21, 2007, article by David Leonhardt, when he cited Nordhaus's concerns, adding:

This was fairly tame compared with the comments of another Yale economist, Robert O. Mendelsohn. ''I was awestruck,'' he said, comparing Sir Nicholas to ''The Wizard of Oz.'' But ''my job is to be Toto.''

It goes on and on and on.

Even Alan Greenspan talks about spending quite a bit of time on this. He said: There is no effective way to meaningfully reduce emissions without negatively impacting a larger part of the economy.

Now, if you look at the Wharton study—there it is, right there. If you look at this, I hope people understand there is no question that there are scientists who actually believe that man-made gases are a major contributor to climate change. I don't believe—and the scientists I outlined last Friday—one thing is sure and that is the cost to America, should we decide to take one of these steps. Keep in mind, all of this is pushed on us by the United Nations, similar to a lot of other things we have to live with. But if you look at the last four largest tax increases in the last three decades, the most recent one was a $32 billion tax increase in 1993 called the Clinton-Gore tax increase, a $32 billion tax increase. I can remember coming to the floor—it was an increase on all the rates, the rates of individuals, regardless of income range. There were all kinds of increases. Yet as bad as that was, and as we were talking about the huge tax increase—$32 billion—the Wharton School of Economics estimates the Kyoto cost would have been over $300 billion; in other words, ten times the largest tax increase in modern history.

I think people do have to understand that, because there have been all kinds of articles. The op-ed piece in the Financial Post by Wayne Weingarten said that the cost of reducing greenhouse gases through cap-and-trade regulations are not trivial. If implemented, cap-and-trade policies would add significant costs to production and would likely have a severe negative impact on long-term growth and an estimated $10,800 per U.S. family—$10,800.

Recently the MIT study which was referred to, I think, by Senator BOXER, the MIT study analyzed how energy producers would have to spend to buy allowances if they were auctioned, and the cost to energy producers to buy these allowances would be equal to $4,500 per household family. Now, all of these seem to be unanimous in terms of what it would cost, and I think we all understand that.

For fear that I might lose—or run out of time, I am going to real quickly go over some of the things I did last Friday, talking about what has happened in 2007. In August of 2007, a peer-reviewed study published in the ''Geophysical Research Letters'' finds global warming over the last century linked to natural causes. The September peer-reviewed study counters the global warming theory by finding carbon dioxide did not end during the last ice age. In October of 2007, the Danish National Space Study concluded the Sun still appears to be the main forcing agent.

By the way, all the way through this, we have approximately 11 other quotes that I will submit for the record talking about how the scientists have come out and talked about how expensive it was.

The geologist at the University of Pennsylvania, Dr. Giegengack, makes comments. He says:

If we reduced the rate at which we put carbon into the atmosphere, it won't reduce the concentration in the atmosphere; CO_2 is just going to come back out of these reservoirs.

He talked about natural reservoirs, which are oceans, soil, and permafrost.

Going back to Dr. Giegengack, he says:

In terms of global warming's capacity to cause the human species harm, I don't think it makes it into the top 10.

He said that in an interview at the University of Pennsylvania.

Now, again, if we have time, we will come back and expand a little bit on that.

What I have done is written down as quickly as I could the things the junior Senator came out with. She spent a lot of—let's put the polar bear back up there. People wonder why they always keep using polar bears. Everybody loves animals. This was a Time magazine top seller. They had this poor polar bear standing on this last cube of ice out there. It says: ''Be worried. Be Very Worried.'' That is the same publication that in 1975 said another ice age is coming; we are all going to die.

Let's talk about the polar bear. I think this is kind of a classic case of reality versus unproven computer model predictions. The Fish and Wildlife Service estimates that the polar bear population is currently 20,000 to 25,000 bears; whereas, in the 1950s and 1960s, the estimates were 5,000 to 10,000 polar bears. We currently have an estimated four to five times more polar bears than we did 50 years ago.

A 2002 U.S. Geological Survey of wildlife in the Arctic Refuge Coastal Plain noted that polar bear populations may now be near historic highs.

Top biologists such as Canadian biologist Dr. Mitchell Taylor, the director of wildlife research, dismissed these fears about polar bears with evidence-based data on Canada's polar bear populations. He says: Of the 13 populations of polar bears in Canada, 11 are stable or increasing in number.

There is only one that is dropping down, and that is in the western—what was it, the Hudson Bay area. This is the one the junior Senator from California talked about, and that is going down in population, mostly because of the hunting rules that have been established in that area.

The next thing she talked about was computer models. This is interesting because everyone now has debunked

the whole idea that computer models were accurate. Even the New York Times has been forced to acknowledge the overwhelming evidence that the Earth is currently well within natural climate variation. This inconvenient reality means that all the warming doomsayers have to back up their climate fears are unproven computer models predicting future doom. Of course, you can't prove a prediction of the climate in 2100 wrong today, which reduces the models to speculating on what could or might or may happen 50 years from now or 100 years from now.

But prominent U.N. scientists have publicly questioned the reliability of climate models. This is kind of interesting because it is the U.N. that started this whole thing. The IPCC, the scientists, Dr. Jim Renwick, a lead author of the IPCC Fourth Assessment Report—this is the United Nations—publicly admitted that climate models may not be so reliable after all.

He stated in June:

> Half of the variability in the climate system is not predictable, so we don't expect to do terrifically well.

Let me repeat, a U.N. scientist admitted half of the variability in the climate system is not predictable.

Also in June, another high-profile U.N. lead author, Dr. Kevin Trenberth, echoed Renwick's sentiments about climate models by referring to them as nothing more than story lines.

Keep in mind, what we are talking about are the things that all this is based on and the distinguished junior Senator from California spent about 15 minutes of her 1 hour talking about—computer models. They have all been debunked.

Now, as far as Greenland is concerned, this is kind of interesting because, in fact, current temperatures in Greenland—and Greenland has been the poster boy for climate alarmists—the current temperatures are cooler than the temperatures there in the mid 1930s and 1940s, according to multiple peer-reviewed studies. You heard me right. Greenland has cooled since the 1940s, a fact the media and global warming activists conceal. Greenland reached its highest temperatures in 1941, according to a peer-reviewed study published in the June of 2006 issue of the ''Journal of Geophysical Research.'' Keep in mind the 80 percent of manmade CO_2 after these high temperatures.

According to a July 2007 report from the Environment and Public Works Committee on Greenland:

> Research in 2006 found that Greenland has been warming since the 1880s, but since 1955, temperature averages at Greenland stations have been colder than the period between 1881 and 1995. Another 2006 peer-reviewed study concluded the rate of warming in Greenland from 1920 to 1930 was about 50 percent higher than the warming from 1995 to 2005. One 2005 study found Greenland gaining ice in the interior higher elevations and thinning ice at the lower elevations.

So it has gone over and over again, the fact that it is factual, that it has actually been getting cooler in Greenland.

By the way, I think it is also interesting when you talk about global warming, consistently through the last several decades, the Southern Hemisphere has actually been getting cooler. The last time I checked, the Southern Hemisphere was part of the globe.

So I think if we want to talk about some of the changes in terms of the scientists that have been coming along, we could do that. I think one of the well-known—the scientist staff writer, Juliet Eilperin, from the Washington Post conceded that climate skeptics appear to be expanding rather than shrinking.

Geologist Peter Sciaky echoes this growing backlash of leftwing activists about global warming. He describes himself as a ''liberal and a leftist'' and wrote on June 9:

> I do not know a single geologist who believes that global warming is a man-made phenomena.

I think that former Vice President Gore's biggest worry is becoming a reality right now, and that is that all these scientists who were on his side 10 years or so ago are now on the other side saying: Wait a minute, we thought we were right at that time.

The 60 scientists who were advising the Prime Minister of Canada and advised him back in the middle 1990s to sign onto the Kyoto Treaty, after reevaluating, they said:

> If, back in the mid 1990s, we knew what we know today about climate, Kyoto would almost certainly not exist, because we would have concluded it was not necessary.

So you get back to the 60 scientists who advised the Prime Minister at that time to join in the Kyoto Treaty, and right now they have all signed a letter advising Prime Minister Harper not to join on or sign onto any successor of the Kyoto Treaty.

So when we talk about Claude Allegra from France, David Bellamy from the U.K, and Nir Shaviv from Israel, these are people who were on the other side who have come over.

I think that in my 2-plus-hour presentation I made last Friday, I covered most of the things—the objections that were given on the floor by my good friend, Senator BOXER. I see my friend from New Mexico is here. If he would like me to yield the remainder of my time to him, I say to Senator DOMENICI, I would be glad to do so.

Mr. DOMENICI. Senator, how much time is that?

Mr. INHOFE. I don't know.

The PRESIDING OFFICER (Mr. WHITEHOUSE). About 4½ minutes remain.

Mr. DOMENICI. I appreciate that. First, I wish to thank the Senator. I wish to say to the Senate, I talked to Senator LOTT, and I understand that when the 4½ minutes is up, the regular order will be that we return to Amtrak; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. The Senator indicated to me he was next with some amendments, but he would be willing to give me about 5 minutes. Now, we can do it either way. We can say, I would like 5 minutes before—what I have been given here, plus 5 before we go to the bill.

The PRESIDING OFFICER. Does the Senator seek unanimous consent?

Mr. DOMENICI. I ask unanimous consent to that effect.

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

Mr. DOMENICI. That means I can go up to 9½. I am not sure I will, but who knows. This is a favorite subject, so I might talk all night if you let me.

ENERGY

Mr. DOMENICI. Mr. President, I am here because the distinguished majority leader spoke today, and I wasn't here when he talked about the two Energy bills that are outstanding—maybe it is three. The House has a couple of Energy bills and we have one, and they are languishing, so to speak, because there is no conference, no official conference. The distinguished majority leader used the phrase, saying we ought to marry the two bills. Now, the leader knows I have every bit of respect for him, and I have talked with him about this Energy bill at least 10 times. I have even suggested in writing some ideas about how we might have a conference that is not a conference but accomplishes the same thing. With that, I wish to say right off, Mr. Leader and fellow Senators, these two bills are so different, so different, that they are incompatible.

So you cannot say marry them, because that marriage cannot last. You cannot start it because the bills are diametrically different, with the exception of a few pieces that are not terribly relevant that are the same. What they have, we don't have; what we have, they don't have. You cannot marry them. It is a hard job to work a bill when you don't have a conference.

I will repeat what I have suggested. At least 2 Republican Senators who were part of the big bill—maybe myself from the Energy Committee, and maybe Senator STEVENS from Commerce—have to be part of negotiating every part of the bill or it is going to be very difficult to get 60 votes in the Senate. I cannot make it any clearer. That is what I have told them. I still say that. I don't know where we do it, but maybe we could informally agree to something like that. So don't bring up a big piece of the bill that has been negotiated out between some House Members and Senate Members but you have not worked it with the Senators who put together the basic pieces of the big bill in the Senate.

As a member of the Senate Energy Committee for 30 years, I have learned a lot about what it takes to pass a comprehensive, bipartisan energy bill and get it signed. As chairman in 2005, I shepherded through the Senate the

most comprehensive Energy bill in decades. Over time, when fully implemented, this bill will have a very positive impact across every sector of energy. Strengthening America's energy security doesn't have an overnight solution. It is not something that can be accomplished in 5-second bites. Instead, it requires long vision and courage to make a difficult decision. Both the Senate and the House have passed bills, as I indicated. While the Senate bill takes big, important steps to diversify our fuel sources to increase our energy efficiency and conservation, the House bill does little more than, in a sense, increase the energy cost for America.

The majority leader suggested that we marry these bills, as I indicated. However, this marriage of convenience would be an inconvenient burden. I would call it an incompatibility for those who fill up their gas tanks and heat their homes.

The centerpiece of our Senate efforts on energy is a mandate which would require an increasing portion of our fuel to come from advanced biofuels such as cellulosic ethanol. These newly advanced, clean biofuels will eventually help make America less dependent upon foreign oil. The House Energy bill contains no such provisions and, in fact, takes steps that would reduce our domestic energy supply. This led a former Member of the Senate to write:

> unless Congress includes provisions for increasing supply, this will remain an energy bill without energy.

Again, that was a former Senator. I think people could guess who it is. He is from down South, maybe from Louisiana.

The House repeals numerous provisions of the Energy Policy Act of 2005 that are already increasing domestic energy production. Across the country, applications for drilling permits are on the rise. I know a little bit about it. That is out in my part of the country. I know that sounds wrong, but they are on the rise. Last year, we did produce more oil than we did before because the activities are taking place. We will need to continue this rise to keep up with our Nation's demand for domestic oil and natural gas. Instead of expediting the process of domestic oil and gas production, the House bill slows it down. Instead of decreasing domestic gas and oil exploration and production costs, the House bill increases the costs.

I guess the answer to that is, well, everybody is making too much money, so increase costs. Frankly, we don't generally do that in the United States. That is what we have tried before when we had such strange things as a tax on the rich. We tried an extra tax on oil because it was making too much money. We got in big trouble because it never did work.

The price tag is a $16 billion tax increase on American oil and gas production—on big and small businesses alike. This is a conservative estimate, and I fear one that will increase behind closed doors.

The House bill results in a punitive fee on deep sea production or, in the alternative, a ban on future leasing altogether. That one is an interesting one. People look at that and say it is good, we ought to do it. Incidentally, that is so anti-American, you cannot believe it. I believe it is also unconstitutional as an ex post facto law. But that is not the issue. That is one of the things we are not going to marry up because plenty of Members in the Senate—at least on our side of the aisle—think that because a mistake was made—not made by a Republican President, it was made during the Presidency of our last Democratic President. A mistake was made and the royalty requirements were not included and the bids let. Those people who got those bids and didn't pay any royalties were trying to collect from them after the fact. That is one of their provisions in the House bill and not in ours. You could tell that is in for a heavy fight.

I don't know whether you could pass a bill in the Senate that had the division they have. They say any of those companies in that position, they pay up something they don't owe, but they pay it up anyway or they cannot drill for 20 years. I cannot imagine anything that looks more anti-American, more like a banana republic that takes over oil companies and releases them and nobody knows what is going on. These types of measures will reduce our domestic energy supply, increase our energy cost and, over time, play into the hands of the large state-owned oil companies in unstable regions around the world.

The House-passed Energy bill is a gift to our global competitors in China, Russia, and the Middle East. This is not just an energy issue, it is a national security issue. The more we increase our dependence, the less secure we become. The higher prices we put on energy at home, the greater the costs we place on our strategic competitiveness abroad.

The House Energy bill doesn't end at increasing costs for consumers at the pump. It also targets those of us who use electricity. By requiring States that lack natural resources to meet an unachievable, mandatory, renewable portfolio standard, we increase costs. Those who cannot meet this standard will simply pay a fee. Remember, that was not offered in the Senate. My friend, the chairman of the committee, is for that and he didn't offer it. I speculate that he didn't offer it because it might have made the bill impossible to pass. But it is in the House bill, so it is not so easy to say let's go and marry them. Somebody has to sit down and talk seriously about whether that kind of provision can stand the test of a head count as to whether we can get a bill through the Senate.

If I am needed, I am needed to help get a bill. If I am not needed to get a bill, you can marry anything to anything and bring it to the floor and see what can happen.

I have been a long-time supporter of renewable energy in both the appropriations process and in the Energy Policy Act of 2005. I led efforts to protect an offshore wind project in unfair opposition. The bill I authored provided the largest and most important tax incentives for renewable energy in American history. We don't need to do anything else to help with wind energy. It is growing at the most rapid pace of any of the renewables. As a matter of fact, it is my understanding the orders for turbines for wind energy are so far behind that you have no wait for 2 years. Most of them are being made overseas. You see, it won't do any good—we don't need more States mandated to produce 15 percent of their energy through wind, and they are allowing a 4-percent credit or something. We ought to increase the tax incentive, so it is not going out too quickly.

I support sound, smart policy on increasing our domestic renewable energy supply, but I oppose tax increases on the American energy consumers.

The next 30 years will bring a massive shift in American wealth if we continue to increase our dependence on foreign oil. That is what will happen. Plainly and simply, the Senate bill moves away from this trend. The House bill does not; it accelerates it. I will say that again. The next 30 years will bring a massive shift of American wealth if we continue to increase our dependence. That shift is at an incredible level at this point.

For these reasons, we cannot simply marry these two bills in the dark of the night. Instead, we need a bipartisan conference committee similar to the one we had in 2005. If we cannot get it in any official way, we are going to have to find a way to do it. It cannot be expected that those on the other side of the aisle will meet with certain Republicans and they will change these bills and say now we have married the bills and we can pass them. That will not happen.

This is a difficult bill on the Senate side but a good one. As a matter of fact, I can say the bill that passed the Senate is one of the best bills we have ever passed. It sort of came from three committees, and it is different, but it will certainly, over 10 years, do a lot for our country. But you don't put on top of it a tax—this tax of $16 billion. They tried it here and it was defeated on the Energy bill. But because the House has it, there is talk that we have to marry it up and take their tax provision. Where are you going to get the votes for that? And that is so with other things that are in the House bill and not in ours.

I thank Senator LOTT for being patient. Clearly, we will discuss the issue more and maybe sit down at a table and talk about it among Senators of both parties.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 294, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 294) to reauthorize Amtrak, and for other purposes.

Pending:

Lautenberg (for Carper) amendment No. 3454 (to amendment No. 3452), of a perfecting nature.

Allard amendment No. 3455, to strike the provisions repealing Amtrak's self-sufficiency requirements.

Bond (for DeMint) amendment No. 3467, to require Amtrak to disclose the Federal subsidy of every ticket sold for transportation on Amtrak.

Bond (for DeMint) amendment No. 3468, to increase competition in the American rail system by allowing any qualified rail operator or transportation company to compete for passenger rail service.

Bond (for DeMint) amendment No. 3469, to clarify the level of detail to be included in the modern financial accounting and reporting system required under section 203.

Bond (for DeMint) amendment No. 3470, to require the Performance Improvement Plan to address reaching financial solvency by eliminating routes and services that do not make a profit.

Bond amendment no. 3464, to amend section 24101 of title 49, United States Code, to clarify Amtrak's mission.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, regarding the Amtrak legislation, work was done on Friday and it is being worked on now by our staffs. We had additional amendments that were filed this afternoon and we are going through them.

In the meantime, we have cleared on both sides some nine amendments in a variety of areas. Our staffs have worked together, and we have reviewed these amendments. They look constructive to me. They are from both sides of the aisle—from Senators CRAPO, TESTER, ALLARD, BOND, DEMINT, SANDERS, COBURN, and HUTCHISON. So we will, in a few moments, offer these amendments en bloc for acceptance.

I see that Senator DOMENICI has left the floor. I appreciate his remarks on the energy legislation. As on so many issues, he has been one of our most thoughtful and committed leaders on a variety of subjects. I used to call him our ''No. 1 utility player.'' Wherever you had a complicated substantive issue, if you needed someone to come and talk about it sensibly, whether it was budget issues, energy issues, appropriations, energy plants, nuclear issues, he has been such a great Member for many years. The Senate will truly miss him upon his retirement. Once again, I thought his remarks a few moments ago were extremely thoughtful and pointed out some of what we need to be doing in the energy policy of this country, and the many problems with trying to get to conference.

The biggest problem in getting to conference is that the two bills are almost irreconcilable. In our bill, we had some very strong requirements with regard to fuel efficiency standards. We knocked out the energy taxes, we refused to put in a high percentage of renewables mandates, and we came out with a bill that had in it something worth having, but we still had some problems.

The House had nothing on CAFE standards, the fuel efficiency standards. They went the other direction on renewables, and they went the other direction on taxes.

We have a real mess on our hands. We need a national energy policy, but we need one that, hopefully, will create more energy for our country and not more dependence on foreign oil.

We will continue to see if we can find ways to work together across the aisle and across the Capitol to see what can be done. We need to do something, but I fear we have created such a hodgepodge, we may not be able to reach agreement on how to proceed.

AMENDMENTS NOS. 3475, 3483, 3488, 3485, 3484, 3477, 3476, 3473, 3472, EN BLOC

Mr. LOTT. Mr. President, I have a package of amendments that have been cleared on both sides. On behalf of Senator LAUTENBERG and myself and the leadership on both sides, I ask unanimous consent that the amendments be considered and agreed to en bloc, and the motions to reconsider be laid upon the table en bloc: Coburn amendment No. 3475, DeMint amendment No. 3483, Hutchison amendment No. 3488, Bond amendment No. 3485, DeMint amendment No. 3484, Crapo amendment No. 3477, Allard amendment No. 3476, Sanders amendment No. 3473, and Tester amendment No. 3472.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 3475

(Purpose: To require Amtrak to publish a comprehensive annual financial report that allocates revenues and costs among each of its routes)

On page 14, line 25, strike ''and'' at the end and all that follows through page 15, line 20, and insert the following:

(2) shall implement a modern financial accounting and reporting system; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2012—

(A) submit to Congress a comprehensive report that allocates all of Amtrak's revenues and costs to each of its routes, each of its lines of business, and each major activity within each route and line of business activity, including—

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

(B) include the report described in subparagraph (A) in Amtrak's annual report; and

(C) post such report on Amtrak's website.

AMENDMENT NO. 3483

(Purpose: To encourage private sector funding of passenger trains)

On page 58, lines 3 through 5, strike ''its operation of trains funded by the private sector in order to minimize its need for Federal subsidies.'' and insert ''the operation of trains funded by, or in partnership with, private sector operators through competitive contracting to minimize the need for Federal subsidies.''

AMENDMENT NO. 3488

(Purpose: To express the sense of the Senate regarding the need to maintain Amtrak as a national passenger rail system)

At the appropriate place, insert the following:

SEC. ___. SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.

(a) FINDINGS.—The Senate makes the following findings:

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak's long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated $376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak's long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak's long-distance routes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.

AMENDMENT NO. 3485

(Purpose: To provide a mission statement for Amtrak, and for other purposes)

On page 11, between lines 22 and 23, insert the following:

(e) AMTRAK'S MISSION.—

(1) Section 24101 is amended—

(A) by striking ''**purpose**'' in the section heading and inserting ''**mission**'';

(B) by striking subsection (b) and inserting the following:

''(b) MISSION.—

''(1) IN GENERAL.—The mission of Amtrak is to provide efficient and effective intercity passenger rail mobility consisting of high quality service that is trip-time competitive with other intercity travel options and that is consistent with the goals of subsection (d).

''(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak's ability to carry out the mission described in paragraph (1).''; and

(C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

''(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

''24101. Findings, mission, and goals''.

On page 18, line 7, strike ''and''.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

AMENDMENT NO. 3484

(Purpose: To include private rail passenger operators on the Next Generation Corridor Equipment Pool Committee)

On page 97, line 13, insert ''host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate,'' after ''Administration,''.

AMENDMENT NO. 3477

(Purpose: To give additional consideration to States with limited Amtrak service when considering new intercity passenger rail routes)

On page 24, line 6, insert ''intercity passenger rail service or by'' after ''served by''.

On page 25, strike lines 10 through 16 and insert the following:

(e) PIONEER ROUTE.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Seattle and Chicago (commonly known as the ''Pioneer Route''), which was operated by Amtrak until 1997, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the Pioneer Route or along segments of such route.

AMENDMENT NO. 3476

(Purpose: To require Amtrak to develop a plan to operate within budgetary limits, including a longterm plan)

On page 56, strike lines 12 through 17 and insert the following:

(1) PLAN REQUIRED.—Section 24101(d) is amended—

(A) by striking ''plan to operate within the funding levels authorized by section 24104 of this chapter, including the budgetary goals for fiscal years 1998 through 2002.'' and inserting ''plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2007, including the budgetary goals for fiscal years 2007 through 2012.''; and

(B) by striking the last sentence and inserting ''Amtrak and its Board of Directors shall adopt a long term plan that minimizes the need for Federal operating subsidies.''.

AMENDMENT NO. 3473

(Purpose: To clarify that the Secretary of Transportation should favor projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment in selecting projects to receive capital investment grants to support intercity passenger rail service)

On page 66, line 10, insert '', including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment'' before the period.

AMENDMENT NO. 3472

(Purpose: To require Amtrak to conduct a 1-time evaluation of passenger rail service between Chicago and Seattle through Southern Montana)

On page 25, between lines 16 and 17, insert the following:

(f) NORTH COAST HIAWATHA ROUTE.—Not later than 1 year after the date of enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Chicago and Seattle, through Southern Montana (commonly known as the ''North Coast Hiawatha Route''), which was operated by Amtrak until 1979, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the North Coast Hiawatha Route or along segments of such route, provided that such service will not negatively impact existing Amtrak routes.

AMENDMENTS NOS. 3455 AND 3464 WITHDRAWN

Mr. LOTT. Mr. President, I ask unanimous consent that the following pending amendments be withdrawn: amendments Nos. 3455 and 3464.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BYRD. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 30 minutes.

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

(The remarks of Mr. BYRD pertaining to the submission of S. Res. 358 are printed in Today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

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

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, parliamentary inquiry: I wish to speak as in morning business.

The PRESIDING OFFICER. That will take unanimous consent.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

FLORIDA AND THE DNC

Mr. NELSON of Florida. Mr. President, I have come to the Senate floor today to inform colleagues of both parties that there is a monumental legal issue that has arisen between the Democratic National Committee and the voters of the State of Florida, specifically the 4¼ million registered Democrats. The Democratic National Committee, the DNC, has exacted punishment upon Florida Democrats because the State legislature of Florida moved its Presidential primary from March to January 29. Both parties said they would bring about retribution on any one State, other than four privileged States—the Nevada caucus, the Iowa caucus, the New Hampshire primary, and the South Carolina primary—if any other State moved ahead of February 5, earlier than February 5.

The Florida Legislature, in its wisdom last spring—last May, May of this year—decided to make the move to January 29. This is a legislature that is two-thirds Republican. That legislation, setting the date of January 29, was signed into law by Governor Crist, who himself is a Republican.

In the course of deliberation of the legislation, the Democratic leader in the State senate offered an amendment to move the primary later, from January 29, 2008, to February 5, thus to comply with the request and rules of the DNC. That amendment was voted down.

Thus, a duly called election, pursuant to State law, is, in fact, going to be conducted by the machinery of the government of the State of Florida and paid for by the government of the State of Florida—estimated to the tune of some $18 million of taxpayer money—in order to have this Presidential primary. Because Florida law set the date of January 29, municipalities have now moved all of their elections to concur with January 29. Indeed, also on the ballot is expected to

be a major constitutional amendment for the voters to decide upon having to do with a different subject matter, a matter of great import to the people of Florida, and that is the amount of their real estate taxes. In other words, it is expected to be a big turnout on January 29. That is Florida law.

But the DNC took great umbrage at the State of Florida and said: Under the rules we are going to penalize you by taking away one-half of your delegates. Concurrently, the Republican National Committee likewise took away one-half of the delegates at the quadrennial nominating conventions to be held later this year. Then the DNC decided it was going to exact additional punishment and took the punitive measure of taking away all of Florida's delegates.

But that is not all. The DNC then further decided that it would penalize Florida further by prohibiting the Presidential candidates from coming into the State and campaigning. Campaigning was defined under the rules of the DNC as talking with voters, having any kind of communication, hiring staff, opening an office, having any kind of advertising, whether in print or electronically, or holding press conferences; in other words, to muzzle the Presidential candidates so they could not go into the State of Florida—with one huge exception: that they could go into the State of Florida to raise money. They couldn't campaign, couldn't talk to ordinary voters, but they could come in to raise money.

The net effect is the only way a Florida Democrat could have interaction with a Presidential candidate one on one is to have to pay for that participation.

This was further enhanced by the four States that I mentioned that want to go first—the Iowa caucus, the Nevada caucus, the New Hampshire primary, and the South Carolina primary—those four States exacting a pledge in writing from the Presidential candidates who said they would not have any campaigning in a State that moved its primary earlier than February 5—except those four States.

This is a little sensitive for us in Florida, naturally, as I have just come from the State Democratic Convention where not any of the major Presidential candidates have appeared. But, of course, they come and go from time to time into Florida to raise money. Of course, what a contrast that is, since the only penalty by the Republican National Committee was to take away half of Florida's Republican delegates. They did not stop their candidates from coming in. Indeed, 1 week ago—a significant contrast with the State Republican Convention—all of the Presidential candidates were there, and indeed they ended up, the State Republican Convention, with a televised debate of all the Republican Presidential candidates.

This should concern not only Floridians, and it should concern not only Democrats, it ought to concern all voters because it is the principle of one person, one vote. That is a principle that has long been established in law and established by the Supreme Court of the United States. In order to enforce that principle, I, along with others, including the chairman of our Florida Democratic delegation, Congressman ALCEE HASTINGS, have filed a federal lawsuit in Federal District Court against the political party bosses in Washington. Our lawsuit is about the right of every American to have access to the ballot box and to have their ballot counted and to have their ballot counted as intended.

In this lawsuit we are fighting for every person who takes time to stand in line in the rain or in the cold, at the local church or the precinct house, to vote and to come outside from that precinct house feeling as if they did their part in this grand American process.

Those of us who filed this lawsuit believe there is no reason that can excuse the denial of this fundamental right to vote. Certainly, as we see by this fracas that has erupted by members of the DNC saying: Go on and have your Presidential primary vote, Florida, on January 29, but just make it a beauty contest because it is not going to count—it certainly points to the fact that this Presidential primary system is broken, and it desperately needs to be reformed. But the answer is not to deny people the right to vote and to have that vote count.

For 2008, there is an easy, short-term fix. This Senator suggested this fix last summer to Howard Dean in writing, in person, and over the telephone; that is, if you had the States that want to go early to move up a little early, then everyone has the same order, and the law of Florida is complied with since there is nothing we can do about it. It is the law. The election in the Presidential primary process is going to be January 29 in Florida.

No one would pay any attention to that easy, short-term fix, but that is in effect what is happening right now because, as of yesterday, Iowa Democrats joined Iowa Republicans and moved the Presidential caucus up to January 3. It is expected that the New Hampshire secretary of State—who has sole authority to set the date of New Hampshire's primary election—will move the date of the primary in New Hampshire to something within a week of Iowa's January 3 caucus. What was suggested as a compromise last summer, without all of this punishment that has been levied, in effect is starting to happen.

For the long term we can fashion a solution that takes into account the larger States as well as the small States. Let all of them have a fair say in a system rotating regional primaries, similar to the ones Senator LEVIN and I have introduced in the Senate. But in the process of exacting this punishment on Florida, it is equally troubling that the average citizen in Florida can no longer see their candidates for President because, as I explained, the party bosses have barred them from campaigning in Florida—except for the private fundraisers.

This is unacceptable. Paying for political participation is unacceptable, and in a bygone era—one that we do not want to return to—that was called a poll tax.

Just recently we saw a measure of Florida voters overwhelmingly agree, regardless of their party affiliation, that they do not think this is right. A just-released Quinnipiac Poll says by a margin of 62 to 16 Florida voters—that is, Republicans, Independents, and Democrats—believe it is wrong to strip us of the delegates to the nominating convention. That same poll also shows the delegate ban may be hurting our own Presidential candidates.

In this latest Quinnipiac Poll, it has been basically neck and neck between Presidential candidate Giuliani and Presidential candidate Clinton. As Clinton was in the lead, now Giuliani has suddenly gone into the lead. Very significantly, in that same Quinnipiac Poll of independent voters, 22 percent of those independent voters said they are less likely to consider voting for the Democrat for President in the general election because of the DNC's shenanigans.

Mr. Chairman, Howard Dean, I hope you are listening to our plea. If you are not going to listen on the merits of the case, that polling data is certainly why, Mr. Chairman Dean, you should lift the ban because you are giving an additional opportunity, an advantage to the Republicans in the general election in the State of Florida.

I have today formulated a motion for summary judgment to be offered in the next couple of days in the Federal District Court where the lawsuit has been filed. Today is the last day upon which the defendant, Chairman Howard Dean, and the defendants, the members of the Democratic National Committee, have to answer the lawsuit. Upon the basis of their answer, it is my intention and the intention of the other plaintiffs to this lawsuit of filing a motion for summary judgment that sets out the legal and constitutional arguments of why the judge should, in fact, stop this travesty of taking away votes from more than 4.25 million registered Democratic voters in the State of Florida.

It does not have to be this way. If, in fact, the DNC recognizes that all these other States are moving forward to earlier dates, then the sequence is preserved for those who wanted to be first. Whether that is justified, their sequence is preserved, and we can go on about getting our eye focused on the November 2008 election, instead of going through all of this rhubarb that is now engulfing the election apparatus.

It is my hope that now the other States are jumping to an earlier date, the DNC will see the wisdom of putting

this all behind us, of joining together as the family we are, stop the family squabbles, unite, and then start focusing later on the 2008 November election.

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

The PRESIDING OFFICER (Mrs. MCCASKILL.) The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Ms. CANTWELL. Madam President, I ask unanimous consent there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

U.S. SENATE TRAVEL REGULATIONS

Mrs. FEINSTEIN. Madam President, I wish to inform all Senators that the Committee on Rules and Administration has updated the U.S. Senate Travel Regulations. The Ethics Committee recently issued guidance to the Rules Committee that making more than one reservation for official travel with a participating airline would not constitute a gift under Senate rule XXXV, the Gift Rule. Consistent with the Ethics Committee's guidance, the transportation expenses section of the U.S. Senate Travel Regulations has been updated to address the issue of making more than one reservation on scheduled flights.

The following statement has been added to I.B of the transportation expenses section, found on page IV–64 of the U.S. Senate Handbook:

3. A Member shall be permitted to make more than one reservation on scheduled flights with participating airlines when such action assists the Member in conducting his/her official business.

This change is effective immediately.

Madam President, I ask unanimous consent that the updated U.S. Senate Travel Regulations be printed in the RECORD.

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

AUTHORITY OF THE COMMITTEE ON RULES AND ADMINISTRATION TO ISSUE SENATE TRAVEL REGULATIONS

The travel regulations herein have been promulgated by the Committee on Rules and Administration pursuant to the authority vested in it by paragraph 1(n)(1)8 of Rule XXV of the Standing Rules of the Senate and by section 68 of Title 2 of the United States Code, the pertinent portions of which provisions are as follows:

STANDING RULES OF THE SENATE

Rule XXV

Paragraph 1(n)(1)8

(n)(1) Committee on Rules and Administration, to which committee shall be referred . . . matters relating to the following subjects: . . .

8. Payment of money out of the contingent fund of the Senate or creating a charge upon the same . . .

UNITED STATES CODE

Title 2 section 68

Sec. 68. Payments from contingent fund of Senate

No payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee on Rules and Administration of the Senate . . ..

UNITED STATES SENATE TRAVEL REGULATIONS

Revised by the Committee on Rules and Administration.

United States Senate, effective October 1, 1991 as amended January 1, 1999, as further amended December 7, 2006, as further amended October 26, 2007.

General regulations

I. Travel Authorization

A. Only those individuals having an official connection with the function involved may obligate the funds of said function.

B. Funds disbursed by the Secretary of Senate may be obligated by:

1. Members of standing, select, special, joint, policy or conference committees.

2. Staff of such committees.

3. Employees properly detailed to such committees from other agencies.

4. Employees of Members of such committees whose salaries are disbursed by the Secretary of the Senate and employees appointed under authority of section 111 of Public Law 95–94, approved August 5, 1977, when designated as ''ex officio employees'' by the Chairman of such committee. Approval of the reimbursement voucher will be considered sufficient designation.

5. Senators, including staff and nominating board members. (Also individuals properly detailed to a Senator's office under authority of Section 503(b)(3) of P.L. 96–465, approved October 17, 1980.)

6. All other administrative offices, including Officers and staff.

C. An employee who transfers from one office to another on the same day he/she concludes official travel shall be considered an employee of the former office until the conclusion of that official travel.

D. All travel shall be either authorized or approved by the chairman of the committee, Senator, or Officer of the Senate to whom such authority has been properly delegated. The administrative approval of the voucher will constitute the approvals required. It is expected that ordinarily the authority will be issued prior to the expenses being incurred and will specify the travel to be performed as such possible unless circumstances in a particular case prevent such action.

E. Official Travel Authorizations: The General Services Administration, on behalf of the Committee on Rules and Administration, has contracted with several air carriers to provide discount air fares for Members, Officers, and employees of the Senate only when traveling on official business. This status is identifiable to the contracting air carriers by one of the following ways:

1. The use of a government issued travel charge card.

2. The use of an ''Official Travel Authorization'' form which must be submitted to the air carrier prior to purchasing a ticket. These forms must be personally approved by the Senator, chairman, or Officer of the Senate under whose authority the travel for official business is taking place. Payment must be made in advance by cash, credit card, check, or money order. The Official Travel Authorization forms are available in the Senate Disbursing Office.

II. Funds for Traveling Expenses

A. Individuals traveling on official business for the Senate will provide themselves with sufficient funds for all current expenses, and are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

1. Travel Advances

(a) Advances to Committees (P.L. 81–118)

(1) Chairmen of joint committees operating from the contingent fund of the Senate, and chairmen of standing, special, select, policy, or conference committees of the Senate, may requisition an advance of the funds authorized for their respective committees.

(a) When any duty is imposed upon a committee involving expenses that are ordered to be paid out of the contingent fund of the Senate, upon vouchers to be approved by the chairman of the committee charged with such duty, the receipt of such chairman for any sum advanced to him[her] or his[her] order out of said contingent fund by the Secretary of the Senate for committee expenses not involving personal services shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of such chairman, as soon as practicable, to furnish to the Secretary of the Senate vouchers in detail for the expenses so incurred.

(2) Upon presentation of the properly signed statutory advance voucher, the Disbursing Office will make the original advance to the chairman or his/her representative. This advance may be in the form of a check, or in cash, receipted for on the voucher by the person receiving the advance. Under no circumstances are advances to be used for the payment of salaries or obligations, other than petty cash transactions of the committee.

(3) In no case shall a cash advance be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel. The amount of the advance then becomes the responsibility of the individual receiving the advance, in that he/she must return the amount advanced before or shortly after the expiration of the authority under which these funds were obtained.

(Regulations Governing Cash Advances for Official Senate Travel adopted by the Committee on Rules and Administration, effective July 23, 1987, pursuant to S. Res. 258, October 1, 1987, as applicable to Senate committees)

(4) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the Committee Chairman and a staff person designated with signature authority.

(5) Cash: Advances for travel in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) shall sign the travel advance form to acknowledge receipt of the cash.

(6) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(7) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Disbursing Office that they must repay within 15 days, or their salary may be garnished in order to satisfy their indebtedness to the Federal government.

(8) In those cases when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler should immediately return the travel advance to the Senate Disbursing Office.

(9) No more than two (2) travel advances per traveler may be outstanding at any one time.

(10) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Committee Chairman and his/her staff is $200.

(11) The aggregate total of travel advances for committees shall not exceed $5,000, unless otherwise authorized by prior approval of the Committee on Rules and Administration.

(b) Advances to Senators and their staffs (2 U.S.C. 58(j))

(Regulations for Travel Advances for Senators and Their Staffs adopted by the Committee on Rules and Administration, effective April 20, 1983, pursuant to P.L. 97–276)

(1) Travel advances from a Senator's Official Personnel and Office Expense Account must be authorized by that Senator for himself/herself as well as for his/her staff. Staff is defined as those individuals whose salaries are funded from the Senator's account. An employee in the Office of the President Pro Tempore, the Deputy President Pro Tempore, the Majority Leader, the Minority Leader, the Majority Whip, the Minority Whip, the Secretary for the Conference of the Majority, or the Secretary for the Conference of the Minority shall be considered an employee in the office of the Senator holding such office.

(2) Advances shall only be used to defray official travel expenses . . .

(3) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the Member and a staff person designated with signature authority.

(4) Cash: Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(5) In no case shall a travel advance in the form of cash be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a direct deposit or check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(6) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(7) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Senate Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal government.

(8) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(9) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Senator and his/her staff is $200. No more than two (2) travel advances per traveler may be outstanding at any one time.

(10) The aggregate total of travel advances per Senator's office shall not exceed 10% of the expense portion of the Senators' Official Personnel and Office Expense Account, or $5,000, whichever is greater.

(c) Advances to Administrative Offices of the Senate

(Regulations Governing Cash Advances for Official Senate Travel, adopted by the Committee on Rules and Administration, effective July 23, 1987, pursuant to S. Res. 258, October 1, 1987, as amended, as applicable to Senate administrative offices)

(1) Travel advances shall be made prior to the commencement of official travel in the form of cash, direct deposit, or check. Travel advance requests shall be signed by the applicable Officer of the Senate and a staff person designated with signature authority.

(2) Cash: Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(3) In no case shall a travel advance be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall an advance in the form of a direct deposit or check be paid more than fourteen (14) calendar days prior to the commencement of official travel. Requests for advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(4) In those cases when a travel advance has been paid, every effort should be made by the office in question to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(5) Travel advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding advance at the end of the 30 day period will be notified by the Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal government.

(6) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is canceled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(7) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question. The minimum travel advance that can be authorized for the official travel expenses of a Senator Officer and his/her staff is $200. No more than two (2) travel advances per traveler may be outstanding at any one time.

(d) Office of the Secretary of the Senate (2 U.S.C. 61a–9a)

(1) . . . The Secretary of the Senate is authorized to advance, with his discretion, to any designated employee under his jurisdiction, such sums as may be necessary, not exceeding $1,000, to defray official travel expenses in assisting the Secretary in carrying out his duties . . .

(e) Office of the Sergeant at Arms and Doorkeeper of the Senate (2 U.S.C. 61f–1a)

(1) For the purpose of carrying out his duties, the Sergeant at Arms and Doorkeeper of the Senate is authorized to incur official travel expenses during each fiscal year not to exceed sums made available for such purpose under appropriations Acts. With the approval of the Sergeant at Arms and Doorkeeper of the Senate and in accordance with such regulations as may be promulgated by the Senate Committee on Rules and Administration, the Secretary of the Senate is authorized to advance to the Sergeant at Arms or to any designated employee under the jurisdiction of the Sergeant at Arms and Doorkeeper, such sums as may be necessary to defray official travel expenses incurred in carrying out the duties of the Sergeant at Arms and Doorkeeper. The receipt of any such sum so advanced to the Sergeant at Arms and Doorkeeper or to any designated employee shall be taken and passed by the accounting officers of the Government as a full and sufficient voucher; but it shall be the duty of the traveler, as soon as practicable, to furnish to the Secretary of the Senate a detailed voucher of the expenses incurred for the travel to which the sum was so advanced, and make settlement with respect to such sum. Payments under this section shall be made from funds included in the appropriations account, within the contingent fund of the Senate, for the Sergeant at Arms and Doorkeeper of the Senate, upon vouchers approved by the Sergeant at Arms and Doorkeeper.

(Committee on Rules and Administration regulations for travel advances for the Office of the Senate Sergeant at Arms)

(a) General—With the written approval of the Sergeant at Arms or designee, advances from the contingent expense appropriation account for the Office of the Sergeant at Arms may be provided to the Sergeant at Arms or the Sergeant at Arms' staff to defray official travel expenses, as defined by the U.S. Senate Travel Regulations. Staff is defined as those individuals whose salaries are funded by the line item within the ''Salaries, Officers, and Employees'' appropriation account for the Office of the Sergeant at Arms.

(b) Forms—Travel advance request forms shall include the date of the request, the name of the traveler, the dates of the official travel, the intended itinerary, the authorizing signature of the Sergeant at Arms or his designee, and a staff person designated with signature authority.

(c) Payment of Advances—

(i) Travel advances shall be paid prior to the commencement of official travel in the form of cash, direct deposit, or check.

(ii) Advances in the form of cash shall be picked up only in the Senate Disbursing Office and will be issued only to the person traveling (photo ID required), with exceptions being made for Members and elected Officers of the Senate. The traveler (or the individual receiving the advance in the case of a travel advance for a Member or elected

Officer of the Senate) will sign the travel advance form to acknowledge receipt of the cash.

(iii) In no case shall a travel advance in the form of cash be paid more than seven (7) calendar days prior to the commencement of official travel. In no case shall a travel advance in the form of a direct deposit or check be paid more than fourteen (14) days prior to the commencement of official travel. Requests for travel advances in the form of a direct deposit or check should be received by the Senate Disbursing Office no less than five (5) calendar days prior to the commencement of official travel.

(d) Repayment of Advances—

(i) The total of the expenses on a travel voucher shall be offset by the amount of the corresponding travel advance, providing for the payment (or repayment) of the difference between the outstanding advance and the total of the official travel expenses.

(ii) In those cases when a travel advance has been paid, every effort should be made to submit to the Senate Disbursing Office a corresponding travel voucher within twenty-one (21) days of the conclusion of such official travel.

(iii) Travel Advances for official Senate travel shall be repaid within 30 days after completion of travel. Anyone with an outstanding travel advance at the end of the 30-day period will be notified by the Senate Disbursing Office that they must repay within 15 days, or their salary may be garnisheed in order to satisfy their indebtedness to the Federal Government.

(iv) In those instances when a travel advance has been paid for a scheduled trip which prior to commencement is cancelled or postponed indefinitely, the traveler in question should immediately return the travel advance to the Senate Disbursing Office.

(e) Limits—

(i) To minimize the payment of travel advances, whenever possible, travelers are expected to utilize the corporate and individual travel cards approved by the Committee on Rules and Administration.

(ii) The amount authorized for each travel advance should not exceed the estimated total of official out-of-pocket travel expenses for the trip in question.

(iii) The minimum travel advance that can be authorized for official travel expenses is $200. No more than two (2) cash advances per traveler may be outstanding at any one time.

2. Government Travel Plans

(a) Government Charge Cards

(1) Individual government charge cards authorized by the General Services Administration and approved by the Committee on Rules and Administration are available to Members, Officers, and employees of the Senate for official travel expenses.

(a) The employing Senator, chairman, or Officer of the Senate should authorize only those staff who are or will be frequent travelers. The Committee on Rules and Administration reserves the right to cancel the annual renewal of the card if the employee has not traveled on official business during the previous year.

(b) All reimbursable travel expenses may be charged to these accounts including but not limited to per diem expenses and incidentals. Direct pay vouchers to the charge card vendor (currently Bank of America) may be submitted for the Airfare, train, and bus tickets charged to this account. All other travel charges on the account must be paid to the traveler for him/her to personally reimburse the charge card vendor.

(c) Timely payment of these Individually Billed travel accounts is the responsibility of the cardholder. The General Services Administration contract requires payment to the account within 60 days before suspension is enforced on the account. The account is cancelled and the cardholder's credit is revoked when a past due balance is carried on the card for 120 days.

(2) One Centrally Billed government charge account authorized by the General Services Administration and approved by the Committee on Rules and Administration are available to each Member, Committee, and Administrative Office for official transportation expenses in the form of airfare, train, and bus tickets, and rental cars.

(a) Direct pay vouchers to the charge card vendor (currently Bank of America) may be submitted for the airfare, train, and bus tickets, and rental car expenses charged to this account.

(b) Other transportation costs, per diem expenses, and incidentals are not authorized charges for these accounts unless expressly authorized by these regulations or through prior approval from the Committee on Rules and Administration.

(c) Timely payment of these Centrally Billed travel accounts is the responsibility of the cardholder, usually the Office Manager or Chief Clerk of the office. The General Services Administration contract requires payment to the account within 60 days before suspension is enforced on the account. The account is cancelled and the cardholder's credit is revoked when a past due balance is carried on the card for 120 days.

(3) A centrally billed account may be established through the approved Senate vendor (currently the Combined Airlines Ticket Office (CATO)) and will be charged against an account number issued to each designated office; there are no charge cards issued for such an account.

III. Foreign Travel

A. Reimbursement of foreign travel expenses is not authorized from the contingent fund of Member offices.

B. Committees, including all standing, select, and special committees of the Senate and all joint committees of the Congress whose funds are disbursed by the Secretary of the Senate, are authorized funds for foreign travel from their committee budget and through S. Res. 179, 95–1, notwithstanding Congressional Delegations which are authorized foreign travel funds under the authority of the Mutual Security Act of 1954 (22 U.S.C. 1754).

C. (Restrictions)—amendment to Rule XXXIX of the Standing Rules of the Senate, pursuant to S. Res. 80, agreed to January 28, 1987.

1. (a) Unless authorized by the Senate (or by the President of the United States after an adjournment sine die), no funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b), as amended) shall be received by any Member of the Senate whose term will expire at the end of a Congress after—

(1) the date of the general election in which his successor is elected; or

(2) in the case of a Member who is not a candidate in such general election, the earlier of the date of such general election or the adjournment sine die of the second regular session of that Congress.

(b) The travel restrictions provided by subparagraph (a) with respect to a Member of the Senate whose term will expire at the end of a Congress shall apply to travel by—

(1) any employee of the Member;

(2) any elected Officer of the Senate whose employment will terminate at the end of a Congress; and

(3) any employee of a committee whose employment will terminate at the end of a Congress.

2. No Member, Officer, or employee engaged in foreign travel may claim payment or accept funds from the United States Government (including foreign currencies made available under section 502(b) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)) for any expense for which the individual has received reimbursement from any other source; nor may such Member, Officer, or employee receive reimbursement for the same expense more than once from the United States Government. No Member, Officer, or employee shall use any funds furnished to him[/her] to defray ordinary and necessary expenses of foreign travel for any purpose other than the purpose or purposes for which such funds were furnished.

3. A per diem allowance provided a Member, Officer, or employee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member, Officer, or employee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses.

IV. Reimbursable Expenses: Travel expenses (i.e., transportation, lodging, meals and incidental expenses) which will be reimbursed are limited to those expenses essential to the transaction of official business while away from the official station or post of duty.

A. Member Duty Station(s): The official duty station of Senate Members shall be considered to be the metropolitan area of Washington, D.C.

1. During adjournment sine die or the August adjournment/recess period, the usual place of residence in the home state, as certified for purposes of official Senate travel, shall also be considered a duty station.

2. Each Member shall certify in writing at the beginning of each Congress to the Senate Disbursing Office his/her usual place of residence in the home state; such certification document shall include a statement that the Senator has read and agrees to the pertinent travel regulations on permissible reimbursements.

3. For purposes of this provision, ''usual place of residence'' in the home state shall encompass the area within thirty-five (35) miles of the residence (by the most direct route). If a Member has no ''usual place of residence'' in his/her home state, he/she may designate a ''voting residence,'' or any other ''legal residence,'' pursuant to state law (including the area within thirty-five (35) miles of such residence), as his/her duty station.

B. Officer and Employee Duty Station

1. In the case of an officer or employee, reimbursement for official travel expenses other than interdepartmental transportation shall be made only for trips which begin and end in Washington, D.C., or, in the case of an employee assigned to an office of a Senator in the Senator's home state, on trips which begin and end at the place where such office is located.

2. Travel may begin and/or end at the Senate traveler's residence when such deviation from the duty station locale is more advantageous to the government.

3. For purposes of these regulations, the ''duty station'' shall encompass the area within thirty-five (35) miles from where the Senator's home state office or designated duty station is located.

C. No employee of the Senate, relative or supervisor of the employee may directly benefit monetarily from the expenditure of appropriated funds which reimburse expenses associated with official Senate travel. Therefore, reimbursements are not permitted for mortgage payments, or rental fees associated with any type of leasehold interest.

D. A duty station for employees, other than Washington, D.C., may be designated by

Members, Committee Chairmen, and Officers of the Senate upon written designation of such station to the Senate Disbursing Office. Such designation shall include a statement that the Member or Officer has read and agrees to the pertinent travel regulations on permissible reimbursements. The duty station may be the city of the office location or the city of residence.

E. For purposes of these regulations, the metropolitan area of Washington, D.C., shall be defined as follows:

1. The District of Columbia
2. Maryland Counties of
a) Charles
b) Montgomery
c) Prince Georges
3. Virginia Counties of
a) Arlington
b) Fairfax
c) Loudoun
d) Prince William
4. Virginia Cities of
a) Alexandria
b) Fairfax
c) Falls Church
d) Manassas
e) Manassas Park
5. Airport locations of
(a) Baltimore/Washington International Thurgood Marshall Airport
(b) Ronald Reagan Washington National Airport
(c) Washington Dulles International Airport

F. When the legislative business of the Senate requires that a Member be present, then the round trip actual transportation expenses incurred in traveling from the city within the United States where the Member is located to Washington, D.C., may be reimbursed from official Senate funds.

G. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

V. Travel Expense Reimbursement Vouchers

A. All persons authorized to travel on official business for the Senate should keep a memorandum of expenditures properly chargeable to the Senate, noting each item at the time the expense is incurred, together with the date, and the information thus accumulated should be made available for the proper preparation of travel vouchers which must be itemized on an official expense summary report and stated in accordance with these regulations. The official expense summary report form is available at the Senate Disbursing Office or through the Senate Intranet.

B. Computer generated vouchers should be submitted with a signed original. Every travel voucher must show in the space provided for such information on the voucher form the dates of travel, the official travel itinerary, the value of the transportation, per diem expenses, incidental expenses, and conference/training fees incurred.

C. Travel vouchers must be supported by receipts for expenses in excess of $50. In addition, the Committee on Rules and Administration reserves the right to request additional clarification and/or certification upon the audit of any expense seeking reimbursement from the contingent fund of the Senate regardless of the expense amount.

D. When presented independently, credit card receipts such as Visa, Master Charge, or Diners Club, etc. are not acceptable documentation for lodging. If a hotel bill is lost or misplaced, then the credit card receipt accompanied by a certifying letter from the traveler to the Financial Clerk of the Senate will be considered necessary documentation. Such letter must itemize the total expenses in support of the credit card receipt.

Transportation Expenses

I. Common Carrier Transportation and Accommodations

A. Transportation includes all necessary official travel on railroads, airlines, helicopters, buses, streetcars, taxicabs, and other usual means of conveyance. Transportation may include fares and such expenses incidental to transportation such as but not limited to baggage transfer. When a claim is made for common carrier transportation obtained with cash, the travel voucher must show the amount spent, including Federal transportation tax, and the mode of transportation used.

1. Train Accommodations

(a) Sleeping-car accommodations: The lowest first class sleeping accommodations available shall be allowed when night travel is involved. When practicable, through sleeping accommodations should be obtained in all cases where more economical to the Senate.

(b) Parlor-car and coach accommodations: One seat in a sleeping or parlor car will be allowed. Where adequate coach accommodations are available, coach accommodations should be used to the maximum extent possible, on the basis of advantage to the Senate, suitability and convenience to the traveler, and nature of the business involved.

2. Airplane Accommodations

(a) First-class and air-coach accommodations: It is the policy of the Senate that persons who use commercial air carriers for transportation on official business shall use less than first-class accommodations instead of those designated first-class with due regard to efficient conduct of Senate business and the travelers' convenience, safety, and comfort.

(b) Use of United States-flag air carriers: All official air travel shall be performed on United States-flag air carriers except where travel on other aircraft (1) is essential to the official business concerned, or (2) is necessary to avoid unreasonable delay, expense, or inconvenience.

B. Change in Travel Plans: When a traveler finds he/she will not use accommodations which have been reserved for him/her, he/she must release them within the time limits specified by the carriers. Likewise, where transportation service furnished is inferior to that called for by a ticket or where a journey is terminated short of the destination specified, the traveler must report such facts to the proper official. Failure of travelers to take such action may subject them to liability for any resulting losses.

1. ''No show'' charges, if incurred by Members or staff personnel in connection with official Senate travel, shall not be considered payable or reimbursable from the contingent fund of the Senate.

2. Senate travelers exercising proper prudence can make timely cancellations when necessary in order to avoid ''no show'' assessments.

3. A Member shall be permitted to make more than one reservation on scheduled flights with participating airlines when such action assists the Member in conducting his/her official business.

C. Compensation Packages: In the event that a Senate traveler is denied passage or gives up his/her reservation due to overbooking on transportation for which he/she held a reservation and this results in a payment of any rebate, this payment shall not be considered as a personal receipt by the traveler, but rather as a payment to the Senate, the agency for which and at whose expense the travel is being performed.

1. Such payments shall be submitted to the appropriate individual for the proper disposition when the traveler submits his/her expense account.

2. Through fares, special fares, commutation fares, excursion, and reduced-rate round trip fares should be used for official travel when it can be determined prior to the start of a trip that any such type of service is practical and economical to the Senate.

3. Round-trip tickets should be secured only when, on the basis of the journey as planned, it is known or can be reasonably anticipated that such tickets will be utilized.

D. Ticket Preparation Fees: Each Chairman, Senator, or Officer of the Senate may, at his/her discretion, authorize in extenuating circumstances the reimbursement of penalty fees associated with the cancellation of through fares, special fares, commutation fares, excursion, reduced-rate round trip fares and fees for travel arrangements, provided that reimbursement of such fees offers the best value and does not exceed $30.

E. Frequent Flyer Miles: Travel promotional awards (e.g. free travel, travel discounts, upgrade certificates, coupons, frequent flyer miles, access to carrier club facilities, and other similar travel promotional items) obtained by a Member, officer or employee of the Senate while on official travel may be utilized for personal use at the discretion of the Member or officer pursuant to this section.

1. Travel Awards may be retained and used at the sole discretion of the Member or officer only if the Travel Awards are obtained under the same terms and conditions as those offered to the general public and no favorable treatment is extended on the basis of the Member, officer or employee's position with the Federal Government.

2. Members, officers and employees may only retain Travel Awards for personal use when such Travel Awards have been obtained at no additional cost to the Federal Government. It should be noted that any fees assessed in connection with the use of Travel Awards shall be considered a personal expense of the Member, officer or employee and under no circumstances shall be paid for or reimbursed from official funds.

3. Although this section permits Members, officers and employees of the Senate to use Travel Awards at the discretion of the Member or officer, the Committee encourages the use of such Travel Awards (whenever practicable) to offset the cost of future official travel.

F. Indirect Travel: In case a person, for his/her own convenience, travels by an indirect route or interrupts travel by direct route, the extra expense will be borne by the traveler. Reimbursement for expenses shall be allowed only on such charges as would have been incurred by the official direct route. Personal travel should be noted on the traveler's expense summary report when it interrupts official travel.

G. Public Transportation During Official Travel: Transportation by bus, streetcar, subway, or taxicab, when used in connection with official travel, will be allowed as an official transportation expense.

H. Dual Purpose Travel: Dual purpose travel occurs when a Senator, staffer, or other official traveler conducts both Senatorial office business and Committee office business during the same trip. The initial point at which official business is conducted will determine the fund which will be charged for travel expenses from and to Washington, D.C. Examples include:

1. If committee business is conducted at the first stop in the trip, travel expenses from Washington, D.C., to said point and return will be chargeable to the committee's funds. Additional travel expenses from said point to other points in the United States, incurred by reason of conducting senatorial business, will be charged to the Senators' Official Personnel and Office Expense Account.

2. If senatorial business is conducted at the first stop in the trip, travel expenses from Washington, D.C., to said point and return will be chargeable to the Senators' Official Personnel and Office Expense Account. Committee funds will be charged with any additional travel expenses incurred for the purpose of performing committee business.

I. Interrupted Travel: If a traveler interrupts official travel for personal business, the traveler may be reimbursed for transportation expenses incurred which are less than or equal to the amount the traveler would have been reimbursed had he/she not interrupted travel for personal business. Likewise, if a traveler departs from or returns to a city other than the traveler's duty station or residence for personal business, then the traveler may be reimbursed for transportation expenses incurred which are less than or equal to the amount the traveler would have been reimbursed had the witness departed from and returned to his/her duty station or residence.

II. Baggage

A. The term ''baggage'' as used in these regulations means Senate property and personal property of the traveler necessary for the purposes of the official travel.

B. Baggage in excess of the weight or of size greater than carried free by transportation companies will be classed as excess baggage. Where air-coach or air-tourist accommodations are used, transportation of baggage up to the weight carried free on first-class service is authorized without charge to the traveler; otherwise excess baggage charges will be an allowable expense.

C. Necessary charges for the transfer of baggage will be allowed. Charges for the storage of baggage will be allowed when such storage was solely on account of official business. Charges for porters and checking baggage at transportation terminals will be allowed.

III. Use of Conveyances: When authorized by the employing Senator, Chairman, or Officer of the Senate, certain conveyances may be used when traveling on official Senate business. Specific types of conveyances are privately owned, special, and private airplane.

A. Privately Owned

1. Chairmen of committees, Senators, Officers of the Senate, and employees, regardless of subsistence status and hours of travel, shall, whenever such mode of transportation is authorized or approved as more advantageous to the Senate, be paid the appropriate mileage allowance in lieu of actual expenses of transportation. This amount should not exceed the maximum amount authorized by statute for use of privately owned motorcycles, automobiles, or airplanes, when engaged in official business within or outside their designated duty stations. It is the responsibility of the office to fix such rates, within the maximum, as will most nearly compensate the traveler for necessary expenses.

2. In addition to the mileage allowance there may be allowed reimbursement for the actual cost of automobile parking fees (except parking fees associated with commuting); ferry fees; bridge, road, and tunnel costs; and airplane landing and tie-down fees.

3. When transportation is authorized or approved for motorcycles or automobiles, mileage between points traveled shall be certified by the traveler. Such mileage should be in accordance with the Standard Highway Mileage Guide. Any substantial deviations shall be explained on the reimbursement voucher.

4. In lieu of the use of taxicab, payment on a mileage basis at a rate not to exceed the maximum amount authorized by statute will be allowed for the round-trip mileage of a privately owned vehicle used in connection with an employee going from either his/her place of abode or place of business to a terminal or from a terminal to either his/her place of abode or place of business: Provided, that the amount of reimbursement for round-trip mileage shall not in either instance exceed the taxicab fare for a one-way trip between such applicable points, notwithstanding the obligations of reasonable schedules.

5. Parking Fees: Parking fees for privately owned vehicles may be incurred in the duty station when the traveler is engaged in interdepartmental transportation or when the traveler is leaving their duty station and entering into a travel status. The fee for parking a vehicle at a common carrier terminal, or other parking area, while the traveler is away from his/her official station, will be allowed only to the extent that the fee, plus the allowable mileage reimbursement, to and from the terminal or other parking area, does not exceed the estimated cost for use of a taxicab to and from the terminal.

6. Mileage for use of privately owned airplanes shall be certified from airway charts issued by the National Oceanic and Atmospheric Administration, Department of Commerce, and will be reported on the reimbursement voucher and used in computing payment. If a detour was necessary due to adverse weather, mechanical difficulty, or other unusual conditions, the additional air mileage may be included in the mileage reported on the reimbursement voucher and, if included, it must be explained.

7. Mileage shall be payable to only one of two or more employees traveling together on the same trip and in the same vehicle, but no deduction shall be made from the mileage otherwise payable to the employee entitled thereto by reason of the fact that other passengers (whether or not Senate employees) may travel with him/her and contribute in defraying the operating expenses. The names of Senate Members or employees accompanying the traveler must be stated on the travel voucher.

8. When damages to a privately owned vehicle occur due to the negligent or wrongful act or omission of any Member, Officer, or employee of the Senate while acting within the scope of his/her employment, relief may be sought under the Federal Tort Claims Act. Information on who to contact will go here.

B. Special

1. General:

(a) The hire of boat, automobile, aircraft, or other conveyance will be allowed if authorized or approved as advantageous to the Senate whenever the Member or employee is engaged on official business outside his/her designated duty station.

(b) Where two or more persons travel together by means of such special conveyance, that fact, together with the names of those accompanying him/her, must be stated by each traveler on his/her travel voucher and the aggregate cost reimbursable will be subject to the limitation stated above.

(c) If the hire of a special conveyance includes payment by the traveler of the incidental expenses of gasoline or oil, rent of garage, hangar, or boathouse, subsistence of operator, ferriage, tolls, operator waiting time, charges for returning conveyances to the original point of hire, etc., the same should be first paid, if practicable, by the person furnishing the accommodation, or his/her operator, and itemized in the bill.

2. Rental Cars:

(a) In no case may automobiles be hired for use in the metropolitan area of Washington, D.C., by anyone whose duty station is Washington, D.C.

(b) Reimbursements for rental of special conveyances will be limited to the cost applicable to a conveyance of a size necessary for a single traveler regardless of the number of authorized travelers transported by said vehicle, unless the use of a larger class vehicle on a shared cost basis is specifically approved in advance by the Committee on Rules and Administration, or the form 'Request for a Waiver of the Travel Regulations' is submitted with the voucher, and found in order upon audit by the Rules Committee.

(c) For administrative purposes, reimbursement may be payable to only one of two or more Senate travelers traveling together on the same trip and in the same vehicle.

(d) Government Rate: In connection with the hire of an automobile for the use in conducting Senate business outside of Washington, D.C., it should be noted that the Military Traffic Management Command (MTMC), a division of the Department of Defense, arranges all rental car agreements for the government.

(1) These negotiated car rental rates are for federal employees traveling on official business and include unlimited mileage, plus full comprehensive and collision coverage (CDW) on rented vehicles at no cost to the traveler.

(2) For guidance on rate structure and the companies participating in these rate agreements, call the approved Senate vendor (currently the Combined Airline Ticket Office (CATO)).

(3) Individuals traveling on behalf of the United States Senate should use these companies to the maximum extent possible since these agreements provide full coverage with no extra fee. The Senate will not pay for separate insurance charges; therefore, any individuals who choose to use non-participatory car rental agencies may be personally responsible for any damages or liability accrued while on official Senate business.

(e) Insurance: In connection with the rental of vehicles from commercial sources, the Senate will not pay or reimburse for the cost of the loss/damage waiver (LDW), collision damage waiver (CDW) or collision damage insurance available in commercial rental contracts for an extra fee.

(1) The waiver or insurance referred to is the type offered a renter to release him/her from liability for damage to the rented vehicle in amounts up to the amount deductible on the insurance included as part of the rental contract without additional charge.

(2) The cost of personal accident insurance is a personal expense and is not reimbursable.

(3) Accidents While On Official Travel: Collision damage to a rented vehicle, for which the traveler is liable while on official business, will be considered an official travel expense of the Senate up to the deductible amount contained in the rental contract. Such claims shall be considered by the Sergeant at Arms of the Senate on a case by case basis and, when authorized, settled from the contingent fund of the Senate under the line item—Reserve for Contingencies. This is consistent with the long-standing policy of the government to self-insure its own risks of loss or damage to government property and the liability of government employees for actions within the scope of their official duties.

(4) However, when damages to a rented vehicle occurs due to the negligent or wrongful act or omission of any Member, Officer, or employee of the Senate while acting within the scope of his/her employment, relief may be sought under the Federal Tort Claims Act.

3. Charter Aircraft:

(a) Reimbursements for charter aircraft will be limited to the charges for a twin-engine, six seat plane, or comparable aircraft.

Charter of aircraft may be allowed notwithstanding the availability of commercial facilities, if such commercial facilities are not such that reasonable schedules may be kept. When charter aircraft is used, an explanation and detail of the size of the aircraft, i.e., seating capacity and number of engines, shall be provided on the face of the voucher.

(b) In the event charter facilities are not available at the point of departure, reimbursement for charter from nearest point of such availability to the destination and return may be allowed.

(c) When a charter aircraft larger than a twin-engine, six seat plane is used, the form ''Request for a Waiver of the Travel Regulations'' is submitted with the voucher.

C. Private Airplane: Interpretative Ruling of the Select Committee on Ethics, No. 412, issued August 11, 1986

''In some circumstances, a Member who uses a private airplane is required to reimburse the provider of the aircraft to avoid either a prohibited gift under the Senate Gift Rule or a prohibited in-kind contribution to an unofficial office account. Senate Rule 38 (Prohibition of Unofficial Office Accounts), generally prohibits private sources from providing funds or services to defray a Member's officially related expenses. Thus, if a friend offers to loan a Member an aircraft to attend town meetings across the Member's home state, the Member must reimburse for the use of the aircraft to comply with Rule 38. Senate Rule 35 (Gifts) prohibits Members from accepting from an individual or organization with a direct interest in legislation, gifts aggregating over $100 in a calendar year (The rule also prohibits gifts aggregating $300 per calendar year from anyone who is not a relative). Thus, if a lobbyist offers a Member the use of his airplane to fly the Member on a vacation trip, and if the value of the use of the airplane is over $100, the member must provide reimbursement to comply with Rule 35.

''In most circumstances, where reimbursement is not required, the Member will still need to determine the value of the use of the aircraft because, if the value is $250 or more, the use of the aircraft must be disclosed on the Member's annual financial disclosure forms.

''In determining the value of an item for both reimbursement and disclosure purposes, the Committee has consistently stated that the applicable standard is the value of the item to the recipient. In the use of private aircraft, the Committee concluded that the value to a Member would be the cost he would have to incur to purchase the same level of service in the open market. The Committee felt that the level of service generally provided in using private aircraft is most nearly equivalent to first-class service provided by commercial carriers where such commercial service is available. Where no regularly scheduled commercial service is available, to obtain the same service provided by the use of a private aircraft, a Member would be required to charter an airplane.

''Ruling: The Committee has agreed on the following method for calculating the value of the use of an aircraft for both reimbursement and disclosure:

''1. If the cities between which the Member is flying have regularly scheduled air service, regardless of whether such service is direct, then the value of the use of the aircraft is the cost of a first-class ticket from the point of departure to the destination.

''2. If the cities have regularly scheduled air service, but only standard (coach) rate, then the value of the use of the aircraft is the coach rate.

''3. If either the city from which the Member flies or his destination does not have regularly scheduled air service, then the value of the use of the aircraft is the cost of chartering the same or a similar aircraft for that flight.

''The Committee notes that its ruling is generally consistent with Federal Election Commission regulations pertaining to the use of private aircraft by candidates for Federal office.

''The Committee further notes that the Committee on Rules and Administration has adopted travel regulations pertaining to the level of reimbursement to be provided from official funds to Members who seek such reimbursement for air transportation costs they have paid. Our ruling addresses only the reimbursement which Members must make to the individual or organization whose aircraft he uses, not the level of reimbursement Members may receive from official funds.

''Note: The Gifts Rule limit discussed in this ruling has changed. But the method of calculating the value of the use of an aircraft remains the same.''

IV. Interdepartmental Transportation

A. The reimbursement for interdepartmental transportation is authorized as a travel expense pursuant to 2 U.S.C. 58(e) but only for the incidental transportation expenses incurred within the duty station in the course of conducting official Senate business. Such reimbursement would include the following expenses:

1. Mileage when using a privately owned vehicle

2. Bus, subway, taxi-cab, parking, and auto rental. (However, reimbursement is prohibited for auto rental expenses within the Washington D.C., metropolitan area duty station.)

B. Pursuant to S. Res. 294, agreed to April 29, 1980, section 2.(1), reimbursements and payments shall not be made for commuting expenses, including parking fees incurred in commuting.

Subsistence Expenses

1. Per Diem Expenses

A. Allowance

1. Per diem expenses include all charges for meals, lodging, personal use of room during daytime, baths, all fees and tips to waiters, porters, baggagemen, bell boys, hotel servants, dining room stewards and others on vessels, laundry, cleaning and pressing of clothing, and fans in rooms. The term ''lodging'' does not include accommodations on airplanes or trains, and these expenses are not subsistence expenses.

(a) Laundry: Laundry expenses must be incurred during the mid-way point of a trip. Reimbursable laundry expenses are for the refreshing of clothing during a trip, but not the maintenance of the clothing.

(b) Meals: Reimbursable expenses incurred for meals while on official travel include meals and tips for the traveler only and may not include alcohol.

2. Per diem expenses will not be allowed an employee at his/her permanent duty station and will be allowed only when associated with round trip travel outside his/her permanent duty station.

(a) Training: Meals in the duty station are only reimbursable when they are incurred during a training session. If the cost of the meal is included in the training session, then a meal certification form should be included with the voucher. The Committee on Rules and Administration will consider these on a case by case basis. Meal certification forms are available at the Disbursing Office or on the Senate intranet.

(1) Training is defined as a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional or technical fields which are or will be directly related to the performance by the employee of official duties for the Senate, in order to increase the knowledge, proficiency, ability, skill and qualifications of the employee in the performance of official duties.

(2) Meetings in the duty station where meals are served, such as but not limited to Chamber of Commerce monthly meetings do not constitute training. Therefore, the meals associated with these meetings are not an authorized reimbursable expense.

3. In any case where the employee's tour of travel requires more than two months' stay at a temporary duty station, consideration should be given to either a change in official station or a reduction in the per diem allowance.

4. Where for a traveler's personal convenience/business there is an interruption of travel or deviation from the direct route, the per diem expenses allowed will not exceed that which would have been incurred on uninterrupted travel by a usually traveled route and the time of departure from and return to official business shall be stated on the voucher.

5. Per diem expenses will be allowed through the time the traveler departs on personal business and will be recommenced at the time he/she returns to official business. Such dates and times shall be stated on the voucher.

B. Rates

1. The per diem allowances provided in these regulations represent the maximum allowance, not the minimum. It is the responsibility of each office to see that travelers are reimbursed only such per diem expenses as are justified by the circumstances affecting the travel. Maximum rates for subsistence expenses are established by the General Services Administration and are published in the Federal Register. Maximum per diem rates for Alaska, Hawaii, the Commonwealth of Puerto Rico, and possessions of the United States are established by the Department of Defense and are also published in the Federal Register. In addition, per diem rates for foreign countries are established by the Department of State and are published in the document titled, ''Maximum Travel Per Diem for Foreign Areas.''

(a) Per diem expenses reimbursable to a Member or employee of the Senate in connection with official travel within the continental United States shall be made on the basis of actual expenses incurred, but not to exceed the maximum rate prescribed by the Committee on Rules and Administration for each day spent in a travel status. Any portion of a day while in a travel status shall be considered a full day for purposes of per diem entitlement.

(b) When travel begins or ends at a point in the continental United States, the maximum per diem rate allowable for the portion of travel between such place and the place of entry or exit in the continental United States shall be the maximum rate prescribed by the Committee on Rules and Administration for travel within the continental United States. However, the quarter day in which travel begins, in coming from, or ends, in going to, a point outside the continental United States may be paid at the rate applicable to said point, if higher.

(c) In traveling between localities outside the continental United States, the per diem rate allowed at the locality from which travel is performed shall continue through the quarter day in which the traveler arrives at his/her destination: Provided, that if such rate is not commensurate with the expenses incurred, the per diem rate of the destination locality may be allowed for the quarter day of arrival.

(d) Ship travel time shall be allowed at not to exceed the maximum per diem rate prescribed by the Committee on Rules and Administration for travel within the continental United States.

C. Computations

1. The date of departure from, and arrival at, the official station or other point where official travel begins and ends, must be shown on the travel voucher. Other points visited should be shown on the voucher but

date of arrival and departure at these points need not be shown.

2. For computing per diem allowances official travel begins at the time the traveler leaves his/her home, office, or other point of departure and ends when the traveler returns to his/her home, office, or other point at the conclusion of his/her trip.

(a) The maximum allowable per diem for an official trip is computed by multiplying the number of days on official travel, beginning with the departure date, by the maximum daily rate as prescribed by the Committee on Rules and Administration. If the maximum daily rate for a traveler's destination is higher than the prescribed daily rate, then the form ''Request for a Waiver of the Travel Regulations'' must be submitted with the voucher showing the maximum daily rate for that location and found in order upon audit by the Rules Committee.

(b) Total per diem for an official trip includes lodging expenses (excluding taxes), meals (including taxes and tips), and other per diem expenses as defined by these regulations.

Incidental Expenses

I. Periodicals: Periodicals purchased while in a travel status should be limited to newspapers and news magazines necessary to stay informed on issues directly related to Senate business.

II. Traveler's Checks/Money Orders: The service fee for preparation of traveler's checks or money orders for use during official travel is allowable.

III. Communications

A. Communication services such as telephone, telegraph, and faxes, may be used on official business when such expeditious means of communications is essential. Government-owned facilities should be used, if practical. If not available, the cheapest practical class of commercial service should be used.

B. Additionally, one personal telephone call will be reimbursed for each day that a Senator or staff member is in a travel status. The calls may not exceed an average of five minutes a day, and cannot be reimbursed at a rate higher than $5.00 without itemized documentation.

IV. Stationery: Stationery items such as pens, paper, batteries, etc. which are necessary to conduct official Senate business while in a travel status are authorized.

V. Conference Center/Meeting Room Reservations: The fee for the reservation of a meeting room, conference room, or business center while on official travel is allowable.

VI. Other: This category would be used (with full explanation on the Expense Summary Report for Travel) to disclose any expense which would occur incidentally while on official travel, and for which there is no other expense category, i.e., interpreting services, hotel taxes, baggage cart rental, etc.

Conference and Training Fees

Training of Senators' Office Staff: The Senators' Official Personnel and Office Expense Account is available to defray the fees associated with the attendance by the Senator or the Senator's employees at conferences, seminars, briefings, or classes which are or will be directly related to the performance of official duties.

A. When such fees (actual or reduced) are less than or equal to $500, have a time duration of not more than five (5) days, and have been asked to be waived or reduced for Government participation, reimbursement shall be made as an official travel expense. However, if the fee or time duration for meetings is in excess of the aforementioned, reimbursement shall be made as a non-travel expense.

B. Reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

C. The costs of meals that are considered an integral, mandatory and non-separable element of the conference, seminar, briefing, or class will be allowed as part of the attendance fee when certified by the registrant. The meal certification form, which must accompany the reimbursement voucher, is available in the Disbursing Office or through the Senate Intranet.

II. Training of Committee Employees: Section 202 (j) of the Legislative Reorganization Act of 1946 provides for the expenditure of funds available to standing committees of the Senate for the training of professional staff personnel under certain conditions. It is the responsibility of each committee to set aside funds within its annual funding resolution to cover the expenses of such training.

A. Prior approval for attendance by professional staff at seminars, briefings, conferences, etc., as well as committee funds earmarked for training, will not be required when all of the following conditions are met:

1. The sponsoring organization has been asked to waive or reduce the fee for Government participation.

2. The fee involved (actual or reduced) is not in excess of $500.

3. The duration of the meeting does not exceed five (5) days.

B. When such fees are less than or equal to $500, have a time duration of not more than five (5) days, and have been requested to be waived or reduced for Government participation, reimbursement shall be made as a non-training, official travel expense. However, if the fee or time duration for meetings is in excess of the aforementioned, reimbursement shall be made as an official training expense. Reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

C. If the fee or time duration for meetings is in excess of the aforementioned, advance approval by the Committee on Rules and Administration must be sought. Training requests should be received sufficiently in advance of the training to permit appropriate consideration by the Committee on Rules and Administration.

D. The costs of meals that are considered an integral, mandatory, and non-separable element of the conference, seminar, briefing, or class will be allowed as part of the attendance fee when certified by the registrant. The meal certification forms which must accompany the reimbursement voucher are available in the Disbursing Office or through the Senate Intranet.

III. Training of Administrative Offices Staff: The administrative approval of the voucher is the only approval required by the Committee on Rules and Administration. Training expenses of staff shall be limited to those fees associated with the attendance by staff at conferences, seminars, briefings, or classes which are or will be directly related to the performance of official duties. However, reimbursement shall not be allowed for tuition or fees associated with classes attended to earn credits towards an advanced degree or certification.

Special Events

Retreats: Reimbursement of official travel expenses for office staff retreats is allowable from the contingent fund provided they follow the restrictions and authorizations in these regulations. Reimbursement of expenses for meeting rooms and equipment used during the retreat also is allowable. The vouchers for retreat expenses should be noted as retreat vouchers.

A. Discussion of Interpretative Ruling of the Select Committee on Ethics, No. 444, issued February 14, 2002

''*An office retreat may be paid for with either or both official funds (with Rules Committee approval) or principal campaign committee funds. Private parties may not pay expenses incurred in connection with an office retreat. Campaign workers may attend, at campaign expense, office retreats if their purpose in attending is to engage in official activities, such as providing feedback from constituents on legislative or representational matters.*''

B. When processing direct pay vouchers payable either to each individual traveler or to the vendor providing the retreat accommodations, prior approval by the Committee on Rules and Administration is not required. Retreat expenses, including but not limited to per diem, may be charged to the office's official centrally billed government travel charge card and paid on direct vouchers to the charge card vendor. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

C. Spreadsheet of Expenses

1. The Member office, Committee, or Administrative office, must attach to the retreat voucher(s) a spreadsheet detailing each day of the retreat broken out by breakfast, lunch, dinner, and lodging for each traveler attending the retreat.

2. For each traveler, the spreadsheet should list his/her duty station, additional per diem expenses incurred outside of the retreat, and any other retreat attendee the traveler shared a room with during the retreat. Any non-staff members attending the retreat also should be detailed on the spreadsheet. The ''Waiver of the Travel Regulations'' form does not need to be attached to retreat voucher(s) for the sharing of rooms.

3. The per diem expenses for staff members attending a retreat within their duty station are not reimbursable but should be detailed on the spreadsheet. All expenses for non-staff members attending the retreat are not reimbursable, but their attendance at the retreat must be taken into account when computing a per traveler cost on the spreadsheet.

II. Funerals: 2 USC 68–2 restricts reimbursement from the contingent fund of the Senate to those expenses that are intimately and directly connected with the routine legislative process of the Senate. Pursuant to S. Res. 458, agreed to October 4, 1984 and S. Res. 263, agreed to July 30, 1998, reimbursement for travel expenses incurred for attendance at funerals of individuals other than current or retired Senators by a Member, officer, or employee of the Senate is not authorized.

Senators' Office Staff

Legislative Authority (2 U.S.C. 58(e), as amended)

(e) Subject to and in accordance with regulations promulgated by the Committee on Rules and Administration of the Senate, a Senator and the employees in his office shall be reimbursed under this section for travel expenses incurred by the Senator or employee while traveling on official business within the United States. The term ''travel expenses'' includes actual transportation expenses, essential travel-related expenses, and, where applicable, per diem expenses (but not in excess of actual expenses). A Senator or an employee of the Senator shall not be reimbursed for any travel expenses (other than actual transportation expenses) for any travel occurring during the sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator is a candidate for public office (within the meaning of section 301(b) of the Federal Election Campaign Act of 1971), unless his candidacy in such election is

uncontested. For purposes of this subsection and subsection 2(a)(6) of this section, an employee in the Office of the President Pro Tempore, Deputy President Pro Tempore, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, or Secretary of the Conference of the Minority shall be considered to be an employee in the office of the Senator holding such office.

II. Regulations Governing Senators' Official Personnel and Office Expense Accounts Adopted by the Committee on Rules and Administration Pursuant to Senate Resolution 170 agreed to September 19, 1979, as amended.

Section 1. For the purposes of these regulations, the following definitions shall apply:

(a) Documentation means invoices, bills, statements, receipts, or other evidence of expenses incurred, approved by the Committee on Rules and Administration.

(b) Official expenses means ordinary and necessary business expenses in support of the Senators' official and representational duties.

Section 2. No reimbursement will be made from the contingent fund of the Senate for any official expenses incurred under a Senator's Official Personnel and Office Expense Account, in excess of $50, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is personally signed by the Senator.

Section 3. Official expenses of $50 or less must either be documented or must be itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. Items of a similar nature may be grouped together in one total on a voucher, but must be itemized individually on a supporting itemization sheet.

Section 4. Travel expenses shall be subject to the same documentation requirements as other official expenses, with the following exceptions:

(a) Hotel bills or other evidence of lodging costs will be considered necessary in support of per diem.

(b) Documentation will not be required for reimbursement of official travel in a privately owned vehicle.

Section 5. No documentation will be required for reimbursement of the following classes of expenses, as these are billed and paid directly through the Sergeant at Arms and Doorkeeper:

(a) official telegrams and long distance calls and related services;

(b) stationery and other office supplies procured through the Senate Stationery Room for use for official business.

Section 6. The Committee on Rules and Administration may require documentation for expenses incurred of $50 or less, or authorize payment of expenses incurred in excess of $50 without documentation, in special circumstances.

Committee and Administrative Office Staff

(Includes all committees of the Senate, the Office of the Secretary of the Senate, and the Office of the Sergeant at Arms and Doorkeeper of the Senate)

I. Legislative Authority (2 U.S.C. 68b)

''No part of the appropriations made under the heading 'Contingent Expenses of the Senate' may be expended for per diem and subsistence expenses (as defined in section 5701 of Title 5) at rates in excess of the rates prescribed by the Committee on Rules and Administration; except that (1) higher rates may be established by the Committee on Rules and Administration for travel beyond the limits of the continental United States, and (2) in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate, reimbursement for such expenses may be made on an actual expense basis of not to exceed the daily rate prescribed by the Committee on Rules and Administration in the case of travel within the continental limits of the United States.''

II. Incidental Expenses: The following items may be authorized or approved when related to official travel:

1. Commissions for conversion of currency in foreign countries.

2. Fees in connection with the issuance of passports, visa fees; costs of photographs for passports and visas; costs of certificates of birth, health, identity; and affidavits; and charges for inoculations which cannot be obtained through a federal dispensary when required for official travel outside the limits of the United States.

III. Hearing Expenses (committees only)

A. In connection with hearings held outside of Washington, D.C., committees are authorized to pay the travel expenses of official reporters having company offices in Washington, D.C., or in other locations, for traveling to points outside the District of Columbia or outside such other locations, provided:

1. Said hearings are of such a classified or security nature that their transcripts can be accomplished only by reporters having the necessary clearance from the proper federal agencies;

2. Extreme difficulty is experienced in the procurement of local reporters; or

3. The demands of economy make the use of Washington, D.C., reporters or traveling reporters in another area highly advantageous to the Senate; and further provided, that should such hearings exceed five days in duration, prior approval (for the payment of reporters' travel expenses) must be obtained from the Committee on Rules and Administration.

IV. Witnesses Appearing Before the Senate (committees only)

A. The authorized transportation expenses incurred and associated with a witness appearing before the Senate at a designated place of examination pursuant to S. Res. 259, agreed to August 5, 1987, will be those necessary transportation expenses incurred in traveling from the witness' place of residence to the site of the Senate examination and the necessary transportation expenses incurred in returning the witness to his/her residence.

B. If a witness departs from a city other than the witness' city of residence to appear before the Senate or returns to a city other than the witness' city of residence after appearing before the Senate, then Senate committees may reimburse the witness for transportation expenses incurred which are less than or equal to the amount the committee would have reimbursed the witness had the witness departed from and returned to his/her residence. Any deviation from this policy will be considered on a case by case basis upon the written request to, and approval from, the Committee on Rules and Administration.

C. Service fees for the preparation or mailing of passenger coupons for indigent or subpoenaed witnesses testifying before Senate committees shall be considered reimbursable for purposes of official travel.

D. Transportation expenses for witnesses may be charged to the Committee's official centrally billed government travel charge card and paid on direct vouchers to the charge card vendor. Additionally, per diem expenses for indigent witnesses may be charged to the Committee's official government charge card and paid on direct vouchers to the charge card vendor.

V. Regulations Governing Payments and Reimbursements from the Senate Contingent Funds for Expenses of Senate Committees and Administrative Offices

(Adopted by the Committee on Rules and Administration on July 23, 1987, as authorized by S. Res. 258, 100th Congress, 1st session, these regulations supersede regulations adopted by the Committee on October 22, 1975, and April 30, 1981, as amended.)

Section 1. Unless otherwise authorized by law or waived pursuant to Section 6, herein, no payment or reimbursement will be made from the contingent fund of the Senate for any official expenses incurred by any Senate committee (standing, select, joint, or special), commission, administrative office, or other authorized Senate activity whose funds are disbursed by the Secretary of the Senate, in excess of $50, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is certified by the properly designated staff member and approved by the Chairman or elected Senate Officer. The designation of such staff members for certification shall be done by means of a letter to the Chairman of the Committee on Rules and Administration. ''Official expenses,'' for the purposes of these regulations, means ordinary and necessary business expenses in support of a committee's or administrative office's official duties.

Section 2. Such documentation should consist of invoices, bills, statements, receipts, or other evidence of expenses incurred, and should include ALL of the following information:

(a) date expense was incurred;

(b) the amount of the expense;

(c) the product or service that was provided;

(d) the vendor providing the product or service;

(e) the address of the vendor; and

(f) the person or office to whom the product or service was provided.

Expenses being claimed should reflect only current charges. Original copies of documentation should be submitted. However, legible facsimiles will be accepted.

Section 3. Official expenses of $50 or less must either be documented or must be itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. However, hotel bills or other evidence of lodging costs will be considered necessary in support of per diem expenses and cannot be itemized.

Section 4. Documentation for services rendered on a contract fee basis shall consist of a contract status report form available from the Disbursing Office. However, other expenses authorized expressly in the contract will be subject to the documentation requirements set forth in these regulations.

Section 5. No documentation will be required for the following expenses:

(a) salary reimbursement for compensation on a ''When Actually Employed'' basis;

(b) reimbursement of official travel in a privately owned vehicle;

(c) foreign travel expenses incurred by official congressional delegations, pursuant to S. Res. 179, 95th Congress, 1st session;

(d) expenses for receptions of foreign dignitaries, pursuant to S. Res. 247, 87th Congress, 2nd session, as amended; and

(e) expenses for receptions of foreign dignitaries pursuant to Sec. 2 of P.L. 100–71 effective July 11, 1987.

Section 6. In special circumstances, the Committee on Rules and Administration may require documentation for expenses incurred of $50 or less, or authorize payment of expenses incurred in excess of $50 without documentation.

Section 7. Cash advances from the Disbursing Office are to be used for travel and petty cash expenses only. No more than $5000 may be outstanding at one time for Senate committees or administrative offices, unless otherwise authorized by law or resolution, and no more than $300 of that amount may be used for a petty cash fund. The individual receiving the cash advance will be personally liable. The Committee on Rules and Administration may, in special instances, increase these non-statutory limits upon written request by the Chairman of that committee and proper justification.

Section 8. Documentation of petty cash expenses shall be listed on an official petty cash itemization sheet available from the Disbursing Office and should include ALL of the following information:

(a) date expense was incurred;

(b) amount of expense;

(c) product or service provided; and

(d) the person incurring the expense (payee).

Each sheet must be signed by the Senate employee receiving cash and an authorizing official (i.e., someone other than the employee(s) authorized to certify vouchers). Original receipts or facsimiles must accompany the itemization sheet for petty cash expenses over $50.

Section 9. Petty cash funds should be used for the following incidental expenses:

(a) postage;

(b) delivery expenses;

(c) interdepartmental transportation (reimbursements for parking, taxi, subway, bus, privately owned automobile (p.o.a.), etc.;

(d) single copies of publications (not subscriptions);

(e) office supplies not available in the Senate Stationery Room; and

(f) official telephone calls made from a staff member's residence or toll charges incurred within a staff member's duty station.

Petty cash funds should not be used for the procurement of equipment.

Section 10. Committees are encouraged to maintain a separate checking account only for the purpose of a petty cash fund and with a balance not in excess of $300.

Section 11. Vouchers for the reimbursement of official travel expenses to a committee chairman or member, officer, employee, contractor, detailee, or witness shall be accompanied by an ''Expense Summary Report—Travel'' signed by such person. Vouchers for the reimbursement to any such individual for official expenses other than travel expenses shall be accompanied by an ''Expense Summary Report—Non-Travel'' signed by such person.

Appendix A: The Federal Tort Claims Act

Pursuant to the provisions of S. Res. 492, agreed to December 10, 1982, the Sergeant at Arms has the authority to consider and ascertain and, with the approval of the Committee on Rules and Administration, determine, compromise, adjust, and settle, in accordance with the provisions of chapter 171 of Title 28, United States Code (The Federal Tort Claims Act), any claim for money damages against the United States for injury or loss of property or personal injury or death caused by negligent or wrongful act or omission of any Member, Officer, or Employee of the Senate while acting within the scope of his/her employment. Any compromise, adjustment, or settlement of any such claim not exceeding $2,500 shall be paid from the contingent fund of the Senate on a voucher approved by the Chairman of the Committee on Rules and Administration.

Payments of awards, compromises, or settlements in excess of $2,500 are obtained by the agency by referring the award, compromise, or settlement to the General Accounting Office for payment. Appropriations of funds for the payment of judgments and compromises are made available for payment of awards, compromises, and settlements under the Federal Tort Claims Act.

However, any award under the Federal Tort Claims Act in excess of $25,000 cannot take effect except with the prior written approval of the Attorney General.

ADDITIONAL STATEMENTS

ACKNOWLEDGING THE LOUISIANA HONORAIR

• Mr. VITTER. Madam President, today I acknowledge and honor a very special group, the Louisiana HonorAir. Louisiana HonorAir is a not-for-profit organization that flies as many as 200 World War II veterans up to Washington, DC, free of charge. On November 3, 2007, a group of 105 veterans and their guardians will reach Washington on this very special program.

While visiting Washington, DC, the veterans will tour sights, such as the Arlington National Cemetery, the Korean Memorial, and the World War II Memorial. The program provides many veterans with their only opportunity to see the great memorials dedicated to their service.

Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.•

CELEBRATION OF QUILTS OF VALOR FOUNDATION

• Mr. CARPER. Madam President, today I wish to celebrate the Quilts of Valor Foundation. In a time when thousands of American families are sending their loved ones around the world to fight for the safety and security of all of us here at home, the Quilts of Valor Foundation has stepped forward to give something back to our wounded heroes. This foundation has pledged to sew and donate a Quilt of Valor to every servicemember wounded in the Iraq and Afghanistan wars. Their mission is to offer comfort and support to our wounded heroes.

An organization not about politics, but about people, the Quilts of Valor Foundation was established in November 2003 by Catherine Roberts of Seaford, DE, Since that time, thousands of volunteers from all over the United States have created over 13,000 quilts for our injured service men and women. With the help of military chaplains at medical centers throughout the United States, Europe and in Iraq and Afghanistan, the Quilts of Valor Foundation locates wounded soldiers and presents them with a hand-made quilt. That quilt is a symbol of the respect and honor that we as a country hold for them and their sacrifice.

The organization has two main missions which frame their important service to our country. First and foremost, the Quilts of Valor Foundation is dedicated to honoring those men and women who have been wounded, whether physically or psychologically, in Iraq and Afghanistan with a Quilt of Valor. Second, the Quilts of Valor Foundation hopes that by teaching young people to quilt and by spreading a culture of volunteerism, a new generation of Americans will become more civically involved and dedicated to bettering our Nation in whatever way they can.

I would like to acknowledge and sincerely thank Catherine Roberts, the Quilts of Valor Foundation, and all the volunteers, especially those in Delaware, who put so much time, money, effort, and love into every quilt to comfort our servicemembers and let them know how much we at home value their sacrifices.•

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2247. A bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 1498. A bill to amend the Lacey Act Amendments of 1981 to prohibit the import, export, transportation, sale, receipt, acquisition, or purchase in interstate or foreign commerce of any live animal of any prohibited wildlife species, and for other purposes (Rept. No. 110–210).

By Mrs. BOXER, from the Committee on Environment and Public Works:

Report to accompany H.R. 50, a bill to reauthorize the African Elephant Conservation Act and the Rhinoceros and Tiger Conservation Act of 1994 (Rept. No. 110–211).

Report to accompany H.R. 465, a bill to reauthorize the Asian Elephant Conservation Act of 1997 (Rept. No. 110–212).

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. JOHNSON (for himself and Mr. COLEMAN):

S. 2252. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from $50 per month to $200 per month, and for other purposes; to the Committee on Finance.

By Mr. BAYH (for himself and Mr. LUGAR):

S. 2253. A bill to provide adjustments in payment to certain hospitals under the Medicaid program; to the Committee on Finance.

By Mr. COCHRAN:

S. 2254. A bill to establish the Mississippi Hills National Heritage Area in the State of Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. HUTCHISON (for herself, Mr. CORNYN, and Mr. INHOFE):

S. 2255. A bill to amend the National Trails System Act to provide for studies of the Chisholm Trail and Great Western Trail to determine whether to add the trails to the National Trails System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 2256. A bill to establish an Office of International and Domestic Product Safety and a Product Safety Coordinating Council to improve the management, coordination, promotion, and oversight of product safety responsibilities, develop a centralized public database for product recalls, advisories, and alerts, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself, Mr. MCCONNELL, Mrs. BOXER, Mr. DODD, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 2257. A bill to impose sanctions on officials of the State Peace and Development

Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes; 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. SMITH (for himself and Mr. BYRD):

S. Res. 358. A resolution expressing the importance of friendship and cooperation between the United States and Turkey; to the Committee on Foreign Relations.

By Mr. KENNEDY (for himself, Mr. KERRY, Mr. REED, Mr. WHITEHOUSE, Mr. DODD, Mr. LIEBERMAN, Ms. SNOWE, Ms. COLLINS, Mr. LEAHY, and Mr. SUNUNU):

S. Res. 359. A resolution congratulating the Boston Red Sox on winning the 2007 World Series; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1200

At the request of Mr. DORGAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1299

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1299, a bill to establish on behalf of consumers a fiduciary duty and other standards of care for mortgage brokers and originators, and to establish standards to assess a consumer's ability to repay, and for other purposes.

S. 1587

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1587, a bill to amend the Internal Revenue Code to allow a special depreciation allowance for reuse and recycling property and to provide for tax-exempt financing of recycling equipment, and for other purposes.

S. 1731

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 1731, a bill to provide for the continuing review of unauthorized Federal programs and agencies and to establish a bipartisan commission for the purposes of improving oversight and eliminating wasteful Government spending.

S. 1858

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1858, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated follow-up care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 1871

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1871, a bill to provide for special transfers of funds to States to promote certain improvements in State unemployment compensation laws.

S. 1921

At the request of Mr. WEBB, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 1963

At the request of Mr. CRAPO, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1963, a bill to amend the Internal Revenue Code of 1986 to allow bonds guaranteed by the Federal home loan banks to be treated as tax exempt bonds.

S. 2062

At the request of Mr. DORGAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2062, a bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 to reauthorize that Act, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2125

At the request of Mr. KOHL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2125, a bill to improve public awareness in the United States among older individuals and their families and caregivers about the impending Digital Television Transition through the establishment of a Federal interagency task force between the Federal Communications Commission, the Administration on Aging, the National Telecommunications and Information Administration, and the outside advice of appropriate members of the aging network and industry groups.

S. 2136

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2136, a bill to address the treatment of primary mortgages in bankruptcy, and for other purposes.

S. 2159

At the request of Mrs. HUTCHISON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2159, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration.

S. 2172

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2172, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to prohibit the importation of gems and hardwoods from Burma, to support democracy in Burma, and for other purposes.

S.J. RES. 22

At the request of Mr. BAUCUS, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Centers for Medicare & Medicaid Services within the Department of Health and Human Services relating to Medicare coverage for the use of erythropoiesis stimulating agents in cancer and related neoplastic conditions.

S. RES. 356

At the request of Mr. DURBIN, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from New York (Mrs. CLINTON) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

S. RES. 357

At the request of Mr. BIDEN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 357, a bill designating the week of November 11 through November 17, 2007, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BIDEN (for himself, Mr. MCCONNELL, Mrs. BOXER, Mr. DODD, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 2257. A bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, today, I rise to introduce a bipartisan bill to promote the restoration of civilian, democratic rule to the troubled state of Burma. The goal of the Burma Democracy Promotion Act is to help create the right conditions for the peaceful, negotiated transfer of power from

the generals who have ruled Burma for almost 2 decades to a newly-constituted civilian, democratic government.

In order to do this, we need to bring pressure to bear on the Burmese generals directly responsible for the bloody crackdown on peaceful protestors last month. This bill imposes new financial sanctions and travel restrictions on the leaders of the junta and their associates and tightens the economic sanctions imposed by the Congress in 2003 by outlawing the importation of Burmese gems and timber to the U.S. Carefully targeted sanctions can support our diplomacy. In this case, the sanctions are designed to provide leverage on the generals, who seem largely indifferent to the suffering of ordinary people. Until now, the generals have managed largely to avoid the bite of existing economic sanctions, enjoying their shopping trips abroad and stashing their riches outside of Burma. We hope to change that.

But unilateral pressure alone will not get the job done. We need a diplomatic offensive. Importantly, this bill creates a new position of Special Representative and Policy Coordinator for Burma. The Special Representative will work with Burma's neighbors and other interested countries, including the members of the EU and the Association of Southeast Asian Nations, to develop a comprehensive approach to the problem, including sanctions, dialogue, and support for non-governmental organizations providing humanitarian relief to the Burmese people. We need China, India, and Thailand, among others, to join with us to convince the generals that it is time for change.

While we work for a negotiated solution to the current crisis, we must not forget the Burmese people. This bill authorizes new assistance for the hundreds of thousands of Burmese who have been forced from their homes and are now refugees or who continue to suffer inside the country because of the mismanagement and brutality of the military regime.

It is time for Burma to begin a new day in which all of the people, including Burma's many minority groups, work together to rebuild what nearly 20 years of disastrous military rule have destroyed. With the support of the international community, a new government can build a more prosperous and democratic state, one that is at peace with its neighbors and that respects the human rights of all of its people. The Burmese Army should be, and can be, a part of this new Burma. The sanctions called for in this measure will be lifted provided only that the generals release all of their political prisoners, engage in a substantive dialogue with the advocates of democracy in Burma, and afford non-governmental organizations access to address the humanitarian needs of the Burmese people. These are reasonable, modest, objectives, and if met, would brighten the prospects for Burma's future.

Mr. President, others in this body have a long record of leadership on Burma policy, including the Minority Leader, Senator MCCONNELL, who I am proud to have as a cosponsor on this bill, and Senator MCCAIN. This bill was drafted in consultation with the staff of Senator MCCAIN, and includes some portions of a bill he introduced earlier this month. I want to thank Senator MCCAIN for his initiative and commend him for his strong voice on this issue. I have also relied on the wisdom of my old friend Congressman LANTOS, who has already introduced legislation on Burma in the House. Finally, I want to thank the Senator from California, Senator BOXER, for cosponsoring this legislation and for chairing an important Senate Foreign Relations Committee hearing on Burma that helped to shape this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no ojection, the text of the bill was ordered to be printed in the Record, as follows:

S. 2257

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 ''Burma Democracy Promotion Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Beginning on August 19, 2007, hundreds of thousands of citizens of Burma, including thousands of Buddhist monks and students, participated in peaceful demonstrations against rapidly deteriorating living conditions and the violent and repressive policies of the State Peace and Development Council, the ruling military regime in Burma—

(A) to demand the release of all political prisoners, including 1991 Nobel Peace Prize winner Aung San Suu Kyi; and

(B) to urge the SPDC to engage in meaningful dialogue to pursue national reconciliation.

(2) The SPDC violently confronted unarmed demonstrators, killing, injuring, and imprisoning citizens, including several thousand Buddhist monks, and continues to forcefully restrict peaceful forms of public expression.

(3) The Department of State's 2006 Country Reports on Human Rights Practices found that the SPDC—

(A) routinely restricts freedoms of speech, press, assembly, association, religion, and movement;

(B) traffics in persons;

(C) discriminates against women and ethnic minorities;

(D) forcibly recruits child soldiers and child labor; and

(E) commits other serious violations of human rights, including extrajudicial killings, custodial deaths, disappearances, rape, torture, abuse of prisoners and detainees, and the imprisonment of citizens arbitrarily for political motives.

(4) Aung San Suu Kyi has been arbitrarily imprisoned or held under house arrest for more than 12 years.

(5) On September 25, 2007, President Bush announced that the United States would—

(A) tighten economic sanctions against Burma, and block property and interests in property of—

(i) certain senior leaders of the SPDC;

(ii) individuals who provide financial backing for the SPDC; and

(iii) individuals responsible for violations of human rights and for impeding the transition to democracy in Burma; and

(B) impose an expanded visa ban on individuals—

(i) responsible for violations of human rights; and

(ii) who aid, abet, or benefit from the efforts of the SPDC to impede the efforts of the people of Burma to transition to democracy and ensure respect for human dignity.

(6) The Burmese regime and its supporters finance their ongoing violations of human rights, undemocratic policies, and military activities through financial transactions, travel, and trade involving the United States, including the sale of gemstones and hardwoods.

(7) The SPDC seeks to evade the sanctions imposed in the Burmese Freedom and Democracy Act of 2003. Millions of dollars in gemstones that are exported from Burma ultimately enter the United States, but the Burmese regime attempts to conceal the origin of the gemstones in an effort to evade sanctions. For example, over 90 percent of the world's ruby supply originates in Burma but only 3 percent of the rubies entering the United States are claimed to be of Burmese origin. The value of Burmese gemstones is predominantly based on their original quality and geological origin, rather than the labor involved in cutting and polishing the gemstones.

(8) Burma is home to approximately 60 percent of the world's native teak reserves. More than ¼ of the world's internationally traded teak originates from Burma, and hardwood sales, mainly of teak, represent more than 11 percent of Burma's official foreign exchange earnings.

(9) Burma officially exports tens of millions of dollars worth of rubies, sapphires, pearls, jade, and other precious stones each year and the SPDC owns a majority stake in all mining operations within the borders of Burma.

(10) On October 11, 2007, the United Nations Security Council, with the consent of the People's Republic of China, issued a statement condemning the violence in Burma, urging the release of all political prisoners, and calling on the SPDC to enter into a United Nations-mediated dialogue with its political opposition.

(11) The United Nations special envoy Ibrahim Gambari traveled to Burma from September 29, 2007 through October 2, 2007, holding meetings with SPDC leader General Than Shwe and democracy advocate Aung San Suu Kyi in an effort to promote dialogue between the SPDC and democracy advocates.

(12) The leaders of the SPDC will have a greater incentive to cooperate with diplomatic efforts by the United Nations, the Association of Southeast Asian Nations, and the People's Republic of China if they come under targeted economic pressure that denies them access to personal wealth and sources of revenue.

SEC. 3. DEFINITIONS.

In this Act:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given the terms in section 5318A(e)(1) of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) ASEAN.—The term ''ASEAN'' means the Association of Southeast Asian Nations.

(4) PERSON.—The term ''person'' means—

(A) an individual, corporation, company, business association, partnership, society, trust, any other nongovernmental entity, organization, or group; and

(B) any successor, subunit, or subsidiary of any person described in subparagraph (A).

(5) SPDC.—The term ''SPDC'' means the State Peace and Development Council, the ruling military regime in Burma.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a citizen of the United States or who owes permanent allegiance to the United States; and

(B) a person that is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if individuals described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such entity.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) condemn the continued repression carried out by the SPDC;

(2) work with the international community, especially the People's Republic of China, India, Thailand, and ASEAN, to foster support for the legitimate democratic aspirations of the people of Burma and to coordinate efforts to impose sanctions on those directly responsible for human rights abuses in Burma;

(3) provide all appropriate support and assistance to aid a peaceful transition to constitutional democracy in Burma;

(4) support international efforts to alleviate the suffering of Burmese refugees and address the urgent humanitarian needs of the Burmese people; and

(5) identify individuals responsible for the repression of peaceful political activity in Burma and hold them accountable for their actions.

SEC. 5. SANCTIONS.

(a) LIST OF OFFICIALS OF THE SPDC.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of—

(A) officials of the SPDC who have played a direct and substantial role in the repression of peaceful political activity in Burma or in the commission of other human rights abuses, including any current or former officials of the security services and judicial institutions of the SPDC; and

(B) any other Burmese persons who provide substantial economic and political support for the SPDC.

(2) UPDATES.—The President shall regularly submit updated versions of the list required under paragraph (1).

(b) SANCTIONS.—

(1) VISA BAN.—A person included on the list required under subsection (a) shall be ineligible for a visa to enter the United States.

(2) WAIVER.—The ban described in subparagraph (1) may be waived only if the President submits written certification to Congress that such waiver is in the national interests of the United States.

(3) FINANCIAL SANCTIONS.—

(A) BLOCKED PROPERTY.—No property or interest in property belonging to a person described in subparagraph (C) may be transferred, paid, exported, withdrawn, or otherwise dealt with if—

(i) the property is located in the United States or within the possession or control of a United States person, including the overseas branch of a United States person; or

(ii) the property comes into the possession or control of a United States person after the date of the enactment of this Act.

(B) FINANCIAL TRANSACTIONS.—No United States person may engage in a financial transaction with the SPDC or with a person described in subparagraph (C).

(C) PERSON DESCRIBED.—A person is described in this subparagraph if the person is—

(i) an official of the SPDC;

(ii) included on the list required under subsection (a); or

(iii) an immediate family member of a person included on the list required under subsection (a), if the President determines that the person included on the list—

(I) effectively controls the property, for purposes of subparagraph (A); or

(II) would benefit from a financial transaction, for purposes of subparagraph (B).

(c) AUTHORITY FOR ADDITIONAL BANKING SANCTIONS.—

(1) IN GENERAL.—The Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit or impose conditions on the opening or maintaining in the United States of a correspondent account or payable-through account by any financial institution (as that term is defined in section 5312 of title 31, United States Code) or financial agency that is organized under the laws of a State, territory, or possession of the United States, for or on behalf of a foreign banking institution, if the Secretary determines that the account might be used—

(A) by a foreign banking institution that holds property or an interest in property belonging to a person on the list required under subsection (a); or

(B) to conduct a transaction on behalf of a person on the list required under subsection (a).

(2) AUTHORITY TO DEFINE TERMS.—The Secretary of the Treasury may, by regulation, further define the terms used in paragraph (1) for purposes of this section, as the Secretary considers appropriate.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to prohibit any contract or other financial transaction with any nongovernmental humanitarian organization in Burma.

(e) EXCEPTIONS.—

(1) IN GENERAL.—The prohibitions and restrictions described in subsections (b) and (c) shall not apply to medicine, medical equipment or supplies, food, or any other form of humanitarian assistance provided to Burma as relief in response to a humanitarian crisis.

(2) ADDITIONAL EXCEPTIONS.—The Secretary of the Treasury may, by regulation, authorize exceptions to the prohibitions and restrictions described in subsection (b) and (c)—

(A) to permit the United States to operate its diplomatic mission;

(B) to permit United States citizens to visit Burma; and

(C) for such other purposes as the Secretary determines to be necessary.

(f) PENALTIES.—Any person who violates any prohibition or restriction described in subsection (b) or (c) shall be subject to the penalties under section 6 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as for a violation under that Act.

(g) TERMINATION OF SANCTIONS.—The sanctions imposed under subsection (b) or (c) shall apply until the President determines and certifies to the appropriate congressional committees that the SPDC has—

(1) unconditionally released all political prisoners, including Aung San Suu Kyi and other members of the National League for Democracy;

(2) entered into a substantive dialogue with democratic forces led by the National League for Democracy and the ethnic minorities of Burma on transitioning to democratic government under the rule of law; and

(3) allowed humanitarian access to populations affected by armed conflict in all regions of Burma.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 6. PROHIBITION ON IMPORTATION OF BURMESE GEMS, HARDWOODS, AND OTHER ITEMS.

Section 3(a)(1) of the Burmese Freedom and Democracy Act of 2003 (50 U.S.C. 1701 note) is amended by striking ''a product of Burma.'' and inserting ''produced, mined, manufactured, grown, or assembled in Burma, including—

''(A) any gemstone or rough unfinished geological material mined or extracted from Burma, whether imported as a loose item or as a component of a finished piece of jewelry; and

''(B) any teak or other hardwood timber, regardless of the country in which such hardwood timber is milled, sawn, or otherwise processed, whether imported in unprocessed form or as a part or component of finished furniture or another wood item.''.

SEC. 7. SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.

(a) UNITED STATES SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA.—The President shall appoint a Special Representative and Policy Coordinator for Burma, by and with the advice and consent of the Senate.

(b) RANK.—The Special Representative and Policy Coordinator for Burma appointed under subsection (a) shall have the rank of ambassador and shall hold the office at the pleasure of the President.

(c) DUTIES AND RESPONSIBILITIES.—The Special Representative and Policy Coordinator for Burma shall—

(1) promote a comprehensive international effort, including multilateral sanctions, direct dialogue with the SPDC and democracy advocates, and support for nongovernmental organizations operating in Burma and neighboring countries, designed to restore civilian democratic rule to Burma and address the urgent humanitarian needs of the Burmese people;

(2) consult broadly, including with the Governments of the People's Republic of China, India, Thailand, and Japan, and the members of ASEAN and the European Union to coordinate policies toward Burma;

(3) assist efforts by the United Nations Special Envoy to secure the release of all political prisoners in Burma and to promote dialogue between the SPDC and leaders of Burma's democracy movement, including Aung San Suu Kyi;

(4) consult with Congress on policies relevant to Burma and the future and welfare of all the Burmese people, including refugees; and

(5) coordinate the imposition of Burma sanctions within the United States Government and with the relevant international financial institutions.

SEC. 8. SENSE OF CONGRESS ON COORDINATION WITH THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS.

It is the sense of Congress that the United States—

(1) joins the foreign ministers of member nations of ASEAN that have expressed concern over the human rights situation in Burma;

(2) encourages ASEAN to take more substantial steps to ensure a peaceful transition to democracy in Burma;

(3) welcomes steps by ASEAN to strengthen its internal governance through the adoption of a formal ASEAN charter;

(4) urges ASEAN to ensure that all members live up to their membership obligations and adhere to the core principles of ASEAN, including respect for, and commitment to, human rights; and

(5) would welcome a decision by ASEAN, consistent with its core documents and its new charter, to review Burma's membership in ASEAN and consider appropriate disciplinary measures, including suspension, until such time as the Government of Burma has demonstrated an improved respect for, and commitment to, human rights.

SEC. 9. SUPPORT FOR CONSTITUTIONAL DEMOCRACY IN BURMA.

(a) IN GENERAL.—The President is authorized to assist Burmese democracy activists who are dedicated to nonviolent opposition to the SPDC in their efforts to promote freedom, democracy, and human rights in Burma.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 to—

(1) provide aid to democracy activists in Burma;

(2) provide aid to individuals and groups conducting democracy programming outside of Burma targeted at a peaceful transition to constitutional democracy inside Burma; and

(3) expand radio and television broadcasting into Burma.

SEC. 10. SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS ADDRESSING THE HUMANITARIAN NEEDS OF THE BURMESE PEOPLE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the international community should increase support for nongovernmental organizations attempting to meet the urgent humanitarian needs of the Burmese people.

(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Section 5 of the Burmese Freedom and Democracy Act of 2003 (50 U.S.C. 1701) is amended—

(1) by inserting ''(a) OPPOSITION TO ASSISTANCE TO BURMA'' before ''The Secretary''; and

(2) by adding at the end the following:

''(b) LICENSES FOR HUMANITARIAN OR RELIGIOUS ACTIVITIES IN BURMA.—Notwithstanding any other provision of law, the Secretary of the Treasury is authorized to issue multi-year licenses for humanitarian or religious activities in Burma. Licenses issued pursuant to this section shall be subject to annual review.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $20,000,000 to the Secretary of State for each of the fiscal years 2008 and 2009 to support operations by nongovernmental organizations designed to address the humanitarian needs of the Burmese people inside Burma and in refugee camps in neighboring countries.

SEC. 11. REPORT ON MILITARY AID TO BURMA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that—

(1) contains a list of countries that provide military aid to Burma; and

(2) describes the military aid provided by each of the countries described in paragraph (1).

(b) MILITARY AID DEFINED.—In this section, the term ''military aid'' includes—

(1) the provision of weapons, military vehicles, and military aircraft;

(2) the provision of military training; and

(3) conducting joint military exercises.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form and may include a classified annex.

SEC. 12. SENSE OF CONGRESS ON INTERNATIONAL ARMS SALES TO BURMA.

It is the sense of Congress that the United States should lead efforts in the United Nations Security Council to impose a mandatory international arms embargo on Burma, curtailing all sales of weapons, ammunition, military vehicles, and military aircraft to Burma until the SPDC releases all political prisoners, restores constitutional rule, and holds free and fair elections to establish a new government.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 358—EXPRESSING THE IMPORTANCE OF FRIENDSHIP AND COOPERATION BETWEEN THE UNITED STATES AND TURKEY

Mr. SMITH (for himself and Mr. BYRD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 358

Whereas the United States and Turkey share common ideals and a clear vision for the 21st century, in which freedom and democracy are the foundation of peace, prosperity, and security;

Whereas Turkey is a strong example of a predominantly Muslim country with a true representative democratic government;

Whereas for more than 50 years a strategic partnership has existed between the United States and Turkey, both bilaterally and through the North Atlantic Treaty Organization, which has been of enormous political, economic, cultural, and strategic benefit to both countries;

Whereas the Government of Turkey has demonstrated its opposition to terrorism throughout the world, and has called for the international community to unite against this threat;

Whereas Turkey maintains an important bilateral relationship with Israel and seeks to play a constructive role in Middle East peace negotiations;

Whereas Operation Enduring Freedom entered its 6th year on October 7th, 2007;

Whereas Turkey commanded the International Security Assistance Force in Afghanistan twice, from July 2002 to January 2003, and from February 2005 to August 2005;

Whereas Turkey has provided humanitarian and medical assistance in Afghanistan and in Iraq;

Whereas the Government of Turkey has made its base in Incirlik available for United States missions in Iraq and Afghanistan;

Whereas Secretary of Defense Robert Gates credits United States air bases in Turkey with handling 70 percent of all air cargo deployed into Iraq;

Whereas 95 percent of the Mine-Resistant Ambush-Protective vehicles (MRAPs) deployed into Iraq transit through air bases in Turkey;

Whereas MRAPs protect coalition forces from improvised explosive devices and roadside bombs;

Whereas the people of Turkey have been victims of terrorist attacks by Al-Qaeda on November 15, 2003, and November 20, 2003;

Whereas the United States supports Turkey's bid for membership in the European Union; and

Whereas the Secretary of State has listed the Kurdistan Workers' Party, which has taken up arms against Turkey since its founding, as a Foreign Terrorist Organization in accordance with section 219 of the Immigration and Nationality Act, as amended: Now, therefore, be it

Resolved, That the Senate—

(1) reiterates its strong support for the strategic alliance between the United States and Turkey;

(2) urges Prime Minister Recep Tayyip Erdogan of Turkey to communicate the continuing support of the Senate and of the people of the United States to the people of Turkey;

(3) condemns the violent attacks conducted by the Kurdistan Workers' Party over the last 2 decades;

(4) urges Kurdish leaders in Iraq to deny safe harbor for terrorists and to recognize bilateral agreements between Iraq and Turkey for cooperation against terrorism;

(5) encourages the Government of Turkey and the Government of Iraq to continue to work together to end the threat of terrorism; and

(6) thanks Prime Minister Erdogan and the people and Government of Turkey for—

(A) assuming command of the International Security Assistance Force in Kabul, Afghanistan from July 2002 to January 2003, and from February 2005 to August 2005;

(B) providing humanitarian and medical assistance in Afghanistan and in Iraq;

(C) their willingness to contribute to international peace, stability, and prosperity, especially in the greater Middle East region; and

(D) their continued discussions with officials in the United States and Iraq regarding constructive stabilization efforts in northern Iraq.

Mr. BYRD. Mr. President, today marks the 84th anniversary of the founding of the Republic of Turkey. It is an auspicious occasion to commemorate the abiding and enduring partnership between two great nations.

In 1923, following the collapse of the 600-year-old Ottoman Empire and a 3-year war of independence, a Turkish World War I hero, Mustafa Kemal, helped found the Republic of Turkey. Kemal, who was later given the name Ataturk, meaning ''father of the Turks,'' rejected the crumbling structures and outdated modes of empire and embraced instead a platform of reform and modernization, a legacy that continues in Turkey to this day and to this hour.

Today Turkey is the most successful example in the Muslim world of a secular representative democracy. Turkey's economy has grown at a record pace in recent years to become the world's 19th largest. Literacy and education rates continue to climb, as life expectancy has improved and poverty rates have declined. Turkey stands as an inspiration to reformers in the greater Middle East and throughout the world.

Turkey has been a consistent and loyal ally of the people of the United States. From World War II, when Turkey entered the fight on the side of the allies, to the cementing of the United States-Turkish alliance in the 1947 Truman doctrine to Turkey's accession to the North American Treaty Organization in 1952, Turkey has been a friend of the American people.

During the long Cold War, Turkey was a bulwark on the edge of the Iron Curtain, and it was a critical ally. Turkey later helped the United States to

patrol the no-fly zones over Iraq after the first Persian Gulf war and aided the U.S. Armed Forces in Afghanistan after the September 11 attacks.

Turkey, which has the second largest army in NATO, commanded the International Security Assistance Force in Afghanistan twice, in 2002 and 2005, and Turkish troops continue to contribute to security efforts there.

It is difficult to overstate the critical importance of Turkey's cooperation with United States missions in the region. United States Defense Secretary Robert Gates recently estimated that 70 percent—let me say that again, 70 percent—of the air cargo deployed into Iraq to support United States troops there transits through airbases in Turkey.

I perhaps should say that again. It is difficult to overstate the critical importance of Turkey's cooperation with United States missions in the region. United States Defense Secretary Robert Gates recently estimated that 70 percent of the air cargo deployed into Iraq to support United States troops there transits through airbases in Turkey.

Turkey, as a predominantly Muslim country with an important bilateral relationship with Israel, seeks to play a constructive role in Middle East peace negotiations and continues to be an important ally in a dangerous and turbulent region. Turkey occupies a strategically critical territory between Europe and Asia, bordering such challenging neighbors as Iran, Syria, and Iraq.

Furthermore, I say, as the United States increasingly looks to diversify its sources of energy, it is important for us to remember that Turkey forms a crucial energy corridor to the West, capable of bringing oil and natural gas from the steppes of Eurasia to the shores of the Mediterranean Sea.

Turkey is, in short, central to the interests of the United States. Now is a good time to be reminded of that fact, as tensions build in the Kurdish region and tempers flare over the proper words to use to describe a century-old tragedy. Whatever one's views may be about that tragedy—politically, economically, geographically, strategically, and militarily—as our soldiers—our soldiers, U.S. soldiers, American soldiers—are in harm's way in Iraq and Afghanistan, the United States can ill-afford to lose such an important friend and ally as Turkey.

This is a critical moment for Turkey. The Turkish people recently elected a new government, led by Prime Minister Erdogan and President Abdullah Gul. Let me say that once more. This time I think I can say that better. This is a critical moment for Turkey. The Turkish people recently elected a new government led by Prime Minister Erdogan and President Abdullah Gul. These decisive elections demonstrated the vibrant and healthy spirit of Turkey's democracy and the commitment of Turkey's people to the democratic process. However, the young government is facing a number of serious challenges as it simultaneously seeks to guard against a very real threat from Kurdish terrorists, assuage Turkish nationalists and the military, and maintain the secular character of the State, all while continuing Turkey's bid for European Union membership. We should offer the Turkish Government all the support we can give in these noble endeavors.

Much like the United States, Turkey continues to struggle with the darker moments of its history. The terrible treatment of Armenians prior to and during the first World War, as well as the treatment of other minorities, including Greeks, Alevis, and Kurds, is a matter that continues to haunt the people of Turkey. In recent years, however, there have been encouraging signs: historians conferences, attempts to improve relations with Armenia, and growing acceptance of the Kurdish language.

This is what free people and open democracies do. They debate and they examine their history and the conscience of their people. Given time and patience, their past can be confronted in a truthful and candid way. Many of us would like to see more progress from Turkey in this area. There continue to be issues about which our two countries disagree. This should be no surprise. Members of the same family disagree at times, and our best friends are often those who criticize us most openly. But there is a time for criticism and a time for praise, and criticism can be constructive. Today is a day to celebrate the great Turkish nation and its people and to acknowledge the strong ties that bind our countries together. That is the reason I am cosponsoring a resolution with my colleague, Senator GORDON SMITH—to affirm the friendship and the alliance of the American and Turkish peoples. May our ties continue to grow stronger with the passage of time.

SENATE RESOLUTION 359—CONGRATULATING THE BOSTON RED SOX ON WINNING THE 2007 WORLD SERIES

Mr. KENNEDY (for himself, Mr. KERRY, Mr. REED, Mr. WHITEHOUSE, Mr. DODD, Mr. LIEBERMAN, Ms. SNOWE, Ms. COLLINS, Mr. LEAHY, and Mr. SUNUNU) submitted the following resolution; which was considered and agreed to:

S. RES 359

Whereas on October 28, 2007, the Boston Red Sox won the 2007 World Series by a 4-game sweep of the Colorado Rockies;

Whereas the Colorado Rockies deserve great credit for their historic performance during the 2007 baseball season and post-season, in which the Rockies won a remarkable 21 of the final 22 games heading into the World Series;

Whereas the Boston Red Sox victory was the second world title of the Red Sox in 4 years and the seventh world title in the 107-year history of the revered New England team;

Whereas the 2007 Red Sox world championship team, like the 2004 Red Sox world championship team, epitomized the very best in sportsmanship, team spirit, and heart in the course of winning the American League Championship Series and the World Series;

Whereas the 2007 Red Sox world championship team honored the careers of all former Red Sox legends, including Bobby Doerr, Carl Yastrzemski, Carlton Fisk, Jimmie Foxx, Cy Young, Johnny Pesky, Dom DiMaggio, Joe Cronin, Jim Rice, and Ted Williams;

Whereas the Red Sox were led back to the World Series this season by the determination of 2004 world championship team veterans, including Manny Ramirez, David Ortiz, Tim Wakefield, Curt Schilling, Jason Varitek, Mike Timlin, Kevin Youkilis, and Doug Mirabelli;

Whereas the 2007 season produced new Red Sox stars, including Josh Beckett, Jacoby Ellsbury, Dustin Pedroia, Julio Lugo, Mike Lowell, Jonathan Papelbon, Hideki Okajima, Daisuke Matsuzaka, J.D. Drew, Jon Lester, and rookie right-hander Clay Buchholz, who in his second major league start, pitched the 17th no-hitter in Red Sox history;

Whereas Red Sox manager Terry Francona has won a remarkable 2 World Series in the past 4 years at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Theo Epstein ended an 86-year World Series drought in 2004 and ushered in a new era in Boston baseball that has been confirmed in 2007;

Whereas the Red Sox, playing before 44,588 Cleveland Indian fans who stood just one game away from celebrating their team's first World Series appearance in a decade, demonstrated the highest qualities of teamwork and determination by winning the first game of a historic run reminiscent of the 2004 American League Championship Series;

Whereas the Red Sox outscored their opponents 59-15 during a 7-game winning streak ending in a victory in game 4 of the World Series in Colorado;

Whereas the Red Sox have won their last 8 consecutive World Series games;

Whereas Josh Beckett, Jonathan Papelbon, and Daisuke Matsuzaka delivered masterful post-season pitching performances, and Curt Schilling demonstrated again why he is considered to be one of the most dominant post-season pitchers in baseball history;

Whereas Jon Lester exhibited incredible courage and determination and provided inspiration to many by pitching 5⅔ shutout innings in game 4 of the World Series, just 1 year after undergoing chemotherapy for lymphoma;

Whereas Mike Lowell, who led the Red Sox with 120 runs-batted-in during 2007, batted .400 during the World Series, with 6 runs scored and 4 runs-batted-in, to earn the most valuable player award;

Whereas pitching phenomena Daisuke Matsuzaka and Hideki Okajima have helped produce close ties between the people of New England and Japan with their extraordinary play this year;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 54-year support of the ''Jimmy Fund'' of the Dana-Farber Cancer Institute, contributing to the ongoing battle against childhood cancers;

Whereas fans of the Red Sox are found in every corner of the United States and across the globe, far beyond Boston and New England; and

Whereas the members of the ''Red Sox Nation'' express their immense gratitude to the entire Red Sox team for an inspiring 2007 season and for bringing another world championship title to Boston: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and the players, manager, coaches, support staff, and team owners and executives whose ability, hard work, dedication, and spirit made this season possible; and

(B) the Colorado Rockies for their extraordinary success during the 2007 season in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager Terry Francona;

(B) Red Sox general manager Theo Epstein;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3472. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes.

SA 3473. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3474. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3475. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3476. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3477. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3478. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3479. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3480. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3481. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3482. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3483. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3484. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3485. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 294, supra.

SA 3486. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3487. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

SA 3488. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, supra.

SA 3489. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3472. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 25, between lines 16 and 17, insert the following:

(f) NORTH COAST HIAWATHA ROUTE.—Not later than 1 year after the date of enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Chicago and Seattle, through Southern Montana (commonly known as the ''North Coast Hiawatha Route''), which was operated by Amtrak until 1979, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the North Coast Hiawatha Route or along segments of such route, provided that such service will not negatively impact existing Amtrak routes.

SA 3473. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 66, line 10, insert '', including projects that involve the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment'' before the period.

SA 3474. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FOOD AND BEVERAGE SERVICE.

(a) QUARTERLY REPORT.—The National Railroad Passenger Corporation (referred to in this section as ''Amtrak'') shall submit a quarterly report to Congress and to the Secretary of Transportation that sets forth the profit or loss, as applicable, relating to the provision of food and beverage service on each rail line operated by Amtrak.

(b) CONTRACT RENEGOTIATION.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any fiscal year, Amtrak shall renegotiate any applicable contracts relating to food and beverage service (including associated labor contracts) for such rail line in an effort to—

(1) reduce the cost of such service; and

(2) increase to likelihood to make a profit in the following fiscal year.

(c) DISCONTINUANCE.—If the food and beverage service on a specific Amtrak rail line incurs a loss in any 2 consecutive fiscal years, Amtrak shall terminate such service on such rail line.

(d) REINSTATEMENT.—Amtrak may reinstate food and beverage service that was discontinued under subsection (c) if—

(1) at least 1 year has elapsed since the date on which such service was discontinued on the applicable rail line;

(2) Amtrak submits a credible proposal to Congress and to the Secretary of Transportation for generating food and beverage service profits on such rail line for each of the following 5 fiscal years; and

(3) the Secretary of Transportation, or the designee of the Secretary, certifies to Congress that the proposal submitted under paragraph (2) will likely generate food and beverage service profits on such rail line for each of the following 5 fiscal years.

SA 3475. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 14, line 25, strike ''and'' at the end and all that follows through page 15, line 20, and insert the following:

(2) shall implement a modern financial accounting and reporting system; and

(3) shall, not later than 90 days after the end of each fiscal year through fiscal year 2012—

(A) submit to Congress a comprehensive report that allocates all of Amtrak's revenues and costs to each of its routes, each of its lines of business, and each major activity within each route and line of business activity, including—

(i) train operations;

(ii) equipment maintenance;

(iii) food service;

(iv) sleeping cars;

(v) ticketing; and

(vi) reservations;

(B) include the report described in subparagraph (A) in Amtrak's annual report; and

(C) post such report on Amtrak's website.

SA 3476. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 56, strike lines 12 through 17 and insert the following:

(1) PLAN REQUIRED.—Section 24101(d) is amended—

(A) by striking ''plan to operate within the funding levels authorized by section 24104 of this chapter, including the budgetary goals for fiscal years 1998 through 2002.'' and inserting ''plan, consistent with section 204 of the Passenger Rail Investment and Improvement Act of 2007, including the budgetary goals for fiscal years 2007 through 2012.''; and

(B) by striking the last sentence and inserting ''Amtrak and its Board of Directors shall adopt a long term plan that minimizes the need for Federal operating subsidies.''.

SA 3477. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 24, line 6, insert ''intercity passenger rail service or by'' after ''served by''.

On page 25, strike lines 10 through 16 and insert the following:

(e) PIONEER ROUTE.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall conduct a 1-time evaluation of passenger rail service between Seattle and Chicago (commonly known as the ''Pioneer Route''), which was operated by Amtrak until 1997, using methodologies adopted under subsection (c), to determine whether to reinstate passenger rail service along the Pioneer Route or along segments of such route.

SA 3478. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which

was ordered to lie on the table; as follows:

At the end add the following:

TITLE V—E-RATE PROTECTION

SEC. 501. PROHIBITION ON USE OF E-RATE FUNDS TO PROVIDE CELL PHONES TO STAFF.

The Federal Communications Commission shall ensure that no funds provided to an elementary school, secondary school, or library for purposes of section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)9B)) are used to provide cell phones to—

(1) bus drivers;

(2) janitors;

(3) school administrators; or

(4) other such staff employed by the elementary school, secondary school, or library.

SA 3479. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

TITLE V—REPEAL OF CERTAIN COMMUNICATIONS TAXES

SEC. 501. REPEAL OF EXCISE TAX ON TELEPHONE AND OTHER COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 33 of the Internal Revenue Code of 1986 (relating to facilities and services) is amended by striking subchapter B.

(b) CONFORMING AMENDMENTS.—

(1) Section 4293 of such Code is amended by striking ''chapter 32 (other than the taxes imposed by sections 4064 and 4121) and subchapter B of chapter 33,'' and inserting ''and chapter 32 (other than the taxes imposed by sections 4064 and 4121),''.

(2)(A) Paragraph (1) of section 6302(e) of such Code is amended by striking ''section 4251 or''.

(B) Paragraph (2) of section 6302(e) of such Code is amended—

(i) by striking ''imposed by—'' and all that follows through ''with respect to'' and inserting ''imposed by section 4261 or 4271 with respect to'', and

(ii) by striking ''bills rendered or''.

(C) The subsection heading for section 6302(e) of such Code is amended by striking ''Communications Services and''.

(3) Section 6415 of such Code is amended by striking ''4251, 4261, or 4271'' each place it appears and inserting ''4261 or 4271''.

(4) Paragraph (2) of section 7871(a) of such Code is amended by inserting ''or'' at the end of subparagraph (B), by striking subparagraph (C), and by redesignating subparagraph (D) as subparagraph (C).

(5) The table of subchapters for chapter 33 of such Code is amended by striking the item relating to subchapter B.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid pursuant to bills first rendered more than 90 days after the date of the enactment of this Act.

SA 3480. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADDITIONAL FINANCIAL REPORTING.

(a) REPORTS.—

(1) IN GENERAL.—Beginning with the first fiscal year beginning after the date of the enactment of this Act, Amtrak shall file with the Secretary of Transportation—

(A) not later than 60 days after the end of each fiscal year, an annual report containing the information required by the Securities and Exchange Commission to be included in annual reports under such sections on Form 10–K, as such form may be revised from time to time; and

(B) periodic reports within the time frame and containing the information prescribed in Form 8–K of the Securities and Exchange Commission, as such form may be revised from time to time.

(2) REGISTRANT DEFINED.—As used in the reports required under paragraph (1)—

(A) Amtrak shall be deemed to be the ''registrant'' described in the forms of the Securities and Exchange Commission; and

(B) references contained in such forms to Securities and Exchange Commission regulations are incorporated in this section by reference.

(3) INTERNAL CONTROL REPORT.—Beginning with the annual report for fiscal year 2010, Amtrak shall comply with the rules prescribed by the Securities and Exchange Commission implementing sections 302 and 404 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7241 and 7262).

(b) FINANCIAL REPORTING.—

(1) IN GENERAL.—The report required under subsection (a)(1)(B) shall include all revenue and expenses associated with rail operations by route, including asset depreciation.

(2) SEGMENT REPORTING.—Beginning with the reports for fiscal year 2010, Amtrak shall include segment reporting in the report required under subsection (a)(1)(A). Amtrak, after consultation with the Secretary of Transportation, shall determine the appropriate segment reporting under this paragraph.

(c) SUPPORTING MATTER.—The Secretary of Transportation shall have access to the audit documentation and any other supporting matter of Amtrak and its independent auditor in connection with any information submitted under this section.

(d) REVISED REQUIREMENTS.—The Secretary of Transportation may initiate proceedings (to be conducted in accordance with regulations that the Secretary shall prescribe) to improve the quality, accuracy, or completeness of Amtrak data required under this section if—

(1) the data have become significantly inaccurate or can be significantly improved; or

(2) the Secretary determines that those revisions are otherwise necessitated by the public interest.

(e) CONFIDENTIAL INFORMATION.—If Amtrak determines that any document or portion of a document, or other matter, provided to the Secretary of Transportation in a nonpublic annex under this section or under subsection (c) contains information that is exempt from public disclosure under section 552(b) of title 5, United States Code, Amtrak shall, at the time of providing such matter to the Secretary, submit written notification to the Secretary of such determination that describes the documents or other matter for which confidentiality is sought and the reasons for such determination.

(f) MONTHLY PERFORMANCE REPORTS.—Amtrak shall include in each monthly performance report—

(1) expenses relating to food and beverage operations, including the cost of meals and food and beverage contractor performance;

(2) expenses relating to non-payroll employees, including post-retirement health care expenses, supplemental executive retirement plans, and performance bonuses; and

(3) depreciation expenses for the capital assets on each passenger rail route.

SA 3481. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 215 and insert the following:

SEC. 215. PROHIBITION ON FINANCIAL GUARANTEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, beginning on the date of the enactment of this Act, the Federal Government shall not make any financial guarantee or commitment to amortize Amtrak's outstanding indebtedness.

(b) SAVINGS PROVISION.—Nothing in this section may be construed to prohibit the Federal Government from honoring any financial guarantee or commitment made by the Federal Government before the date of the enactment of this Act.

SA 3482. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

SEC. 224. PROHIBITION OF FEDERAL SUBSIDIES FOR FOOD AND BEVERAGE SERVICE.

Federal funds may not be used by the National Railroad Passenger Corporation to subsidize food and beverage service on Amtrak trains until Amtrak is in compliance with section 24305(c)(4) of title 49, United States Code.

SA 3483. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 58, lines 3 through 5, strike ''its operation of trains funded by the private sector in order to minimize its need for Federal subsidies.'' and insert ''the operation of trains funded by, or in partnership with, private sector operators through competitive contracting to minimize the need for Federal subsidies.''.

SA 3484. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 97, line 13, insert ''host freight railroad companies, passenger railroad equipment manufacturers, and other passenger railroad operators as appropriate,'' after ''Administration,''.

SA 3485. Mr. BOND submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

On page 11, between lines 22 and 23, insert the following:

(e) AMTRAK'S MISSION.—

(1) Section 24101 is amended—

(A) by striking ''**PURPOSE**'' in the section heading and inserting ''**MISSION**'';

(B) by striking subsection (b) and inserting the following:

''(b) MISSION.—

''(1) IN GENERAL.—The mission of Amtrak is to provide efficient and effective intercity passenger rail mobility consisting of high quality service that is trip-time competitive with other intercity travel options and that is consistent with the goals of subsection (d).

''(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak's ability to carry out the mission described in paragraph (1).''; and

(C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

''(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available;''.

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

''24101. Findings, mission, and goals''.

On page 18, line 7, strike ''and''.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

SA 3486. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 13 and 14, insert the following:

''(12) To review rail crossing safety improvements, including improvements using new safety technology.

SA 3487. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, between lines 2 and 3, insert the following:

''(13) A review of the safety of all public railway-highway grade crossings, including security measures, safety conditions, past accidents, possible safety improvements, and any other factors that the Secretary considers relevant.

SA 3488. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____. SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.

(a) FINDINGS.—The Senate makes the following findings:

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak's long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated $376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak's long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak's long-distance routes.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.

SA 3489. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

SEC. 224. PASSENGER RAIL COST STUDY.

(a) IN GENERAL.—The National Railroad Passenger Corporation shall conduct a study to determine the potential cost and economic impact of passenger rail service between Scranton, Pennsylvania and Binghamton, New York.

(b) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report containing the results of the study conducted under this section to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

SEQUENTIAL REFERRAL EXTENSION

Ms. CANTWELL. Madam President, as in executive session, I ask unanimous consent that the sequential referral of the nomination of Julia L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, to the Committee on Judiciary be extended until November 2, 2007; further that if the nomination is not reported at that time, the nomination then be automatically discharged and placed on the Executive Calendar.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 255, R. Lyle Laverty to be Assistant Secretary for Fish and Wildlife; that the nomination be confirmed; the motion to reconsider be laid upon the table; the President be immediately notified of the Senate's action and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF THE INTERIOR

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

CONGRATULATING THE BOSTON RED SOX

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 359, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) congratulating the Boston Red Sox on winning the 2007 World Series.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and any statements be printed in the RECORD.

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

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 359

Whereas on October 28, 2007, the Boston Red Sox won the 2007 World Series by a 4-game sweep of the Colorado Rockies;

Whereas the Colorado Rockies deserve great credit for their historic performance during the 2007 baseball season and post-season, in which the Rockies won a remarkable 21 of the final 22 games heading into the World Series;

Whereas the Boston Red Sox victory was the second world title of the Red Sox in 4 years and the seventh world title in the 107-year history of the revered New England team;

Whereas the 2007 Red Sox world championship team, like the 2004 Red Sox world championship team, epitomized the very best in sportsmanship, team spirit, and heart in the course of winning the American League Championship Series and the World Series;

Whereas the 2007 Red Sox world championship team honored the careers of all former Red Sox legends, including Bobby Doerr, Carl Yastrzemski, Carlton Fisk, Jimmie Foxx, Cy Young, Johnny Pesky, Dom DiMaggio, Joe Cronin, Jim Rice, and Ted Williams;

Whereas the Red Sox were led back to the World Series this season by the determination of 2004 world championship team veterans, including Manny Ramirez, David Ortiz, Tim Wakefield, Curt Schilling, Jason Varitek, Mike Timlin, Kevin Youkilis, and Doug Mirabelli;

Whereas the 2007 season produced new Red Sox stars, including Josh Beckett, Jacoby Ellsbury, Dustin Pedroia, Julio Lugo, Mike Lowell, Jonathan Papelbon, Hideki Okajima, Daisuke Matsuzaka, J.D. Drew, Jon Lester, and rookie right-hander Clay Buchholz, who in his second major league start, pitched the 17th no-hitter in Red Sox history;

Whereas Red Sox manager Terry Francona has won a remarkable 2 World Series in the past 4 years at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Theo Epstein ended an 86-year World Series drought in 2004 and ushered in a new era in Boston baseball that has been confirmed in 2007;

Whereas the Red Sox, playing before 44,588 Cleveland Indian fans who stood just one game away from celebrating their team's first World Series appearance in a decade, demonstrated the highest qualities of teamwork and determination by winning the first game of a historic run reminiscent of the 2004 American League Championship Series;

Whereas the Red Sox outscored their opponents 59-15 during a 7-game winning streak ending in a victory in game 4 of the World Series in Colorado;

Whereas the Red Sox have won their last 8 consecutive World Series games;

Whereas Josh Beckett, Jonathan Papelbon, and Daisuke Matsuzaka delivered masterful post-season pitching performances, and Curt Schilling demonstrated again why he is considered to be one of the most dominant post-season pitchers in baseball history;

Whereas Jon Lester exhibited incredible courage and determination and provided inspiration to many by pitching 5⅔ shutout innings in game 4 of the World Series, just 1 year after undergoing chemotherapy for lymphoma;

Whereas Mike Lowell, who led the Red Sox with 120 runs-batted-in during 2007, batted .400 during the World Series, with 6 runs scored and 4 runs-batted-in, to earn the most valuable player award;

Whereas pitching phenomena Daisuke Matsuzaka and Hideki Okajima have helped produce close ties between the people of New England and Japan with their extraordinary play this year;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 54-year support of the ''Jimmy Fund'' of the Dana-Farber Cancer Institute, contributing to the ongoing battle against childhood cancers;

Whereas fans of the Red Sox are found in every corner of the United States and across the globe, far beyond Boston and New England; and

Whereas the members of the ''Red Sox Nation'' express their immense gratitude to the entire Red Sox team for an inspiring 2007 season and for bringing another world championship title to Boston: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and the players, manager, coaches, support staff, and team owners and executives whose ability, hard work, dedication, and spirit made this season possible; and

(B) the Colorado Rockies for their extraordinary success during the 2007 season in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager Terry Francona;

(B) Red Sox general manager Theo Epstein;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

ORDERS FOR TUESDAY, OCTOBER 30, 2007

Ms. CANTWELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m, Tuesday, October 30; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 294, the Amtrak legislation; that on Tuesday, the Senate stand in recess from 12:30 until 2:15 p.m. for the respective party conference meetings; further, I ask unanimous consent that the Members have until 12 noon to file any second-degree amendments.

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

PROGRAM

Ms. CANTWELL. Madam President, as a reminder to Members, a couple of votes with respect to amendments are expected to occur prior to the cloture vote; therefore, up to three rollcall votes could occur prior to the Senate recessing for the caucus meetings.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Madam President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, October 30, 2007, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Monday, October 29, 2007:

DEPARTMENT OF THE INTERIOR

R. LYLE LAVERTY, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.