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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 29, 2008, at 12:30 p.m.

Senate

MONDAY, APRIL 28, 2008

The Senate met at 2 p.m. and was called to order by the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Eternal Father, reawaken our conscience. Bend the ear of our spirit to Your voice that we may perceive Your will in these challenging times.

Remove from our lawmakers the false worldly wisdom that engenders division, and keep them vigilant in doing Your work on Earth. As they strive to make wise choices regarding nuanced issues, may they hear Your gentle voice whispering that they belong to You. Remind them that You will be with them. May all that they do and are today be an expression of Your truth, righteousness, and justice.

We pray in the Redeemer's Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JIM WEBB led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 2008.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, we are going to be in a period of morning business until 4:30 today, with Senators permitted to speak for up to 10 minutes each, the time equally divided and controlled between the two leaders or their designees. Senator DORGAN is controlling 30 minutes of the majority's time. Following morning business, the Senate will resume consideration of the motion to proceed to H.R. 2881, the Federal Aviation Administration Reauthorization. At 5:30 today there will be a cloture vote on the motion to proceed to that bill.

As a reminder to all Senators, Wednesday, at 11 a.m., there will be a joint meeting of Congress in the Hall of the House of Representatives, with the Prime Minister of Ireland, Bertie Ahern, presenting his statement to the country.

MEASURE PLACED ON THE CALENDAR—H.R. 5613 AND S. 2920

Mr. REID. I understand there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5613) to extend certain moratoria and impose additional moratoria on certain Medicaid regulations through April 1, 2009.

A bill (S. 2920) to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills, en bloc.

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

UNANIMOUS-CONSENT REQUEST—H.R. 493

Mr. REID. Mr. President, I ask unanimous consent that the Secretary of the Senate is directed to request the House of Representatives to return to the Senate the bill, H.R. 493.

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

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

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RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business until 4:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Senator from North Dakota, Mr. DORGAN, recognized to speak for up to 30 minutes.

Mr. REID. Mr. President, I suggest the absence of a quorum, and I ask the time during the quorum call be equally divided between the majority and minority.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FOOD SECURITY CRISIS

Mr. CASEY. Mr. President, I rise today to highlight the growing food security crisis which faces the United States and countries around the world. The short-term challenges we face as a result of this food security crisis are economic, strategic, political, and humanitarian. All of these challenges we face are already being faced by the most vulnerable in our society.

Here in the United States, this crisis comes on the heels of so many other trying circumstances confronting poor and working families across America. Our Nation is facing an economic recession and ever-rising unemployment rates. Many of those who remain employed find themselves working more hours and yet earning less because their wages have not kept up with inflation.

While their incomes have declined, the unprecedented cost of food and home energy has continued to soar. Many of these same families are also facing a mortgage and housing crisis which may force them to forego ownership of the house they once considered their slice of the American dream.

In short, many families, who years or even months ago were living comfortably, are now struggling to get by. As a result, the increase in food prices over the last several months has added one more pressure to already overburdened American families.

Increasingly, these families are stretched to the breaking point and are turning to Federal food assistance programs and food banks for some measure of relief. I have seen this trend repeated firsthand at food banks and in headlines across Pennsylvania.

A couple of examples. This is the headline of the Allentown Morning Call: ''Heavy Demand at Food Banks, Kitchens Is a Grim Economic Indicator for Valley'' [meaning the Lehigh Valley].

The Scranton Times Tribune: ''More Seeking Food Stamps: Recipients in Pennsylvania Rise 9.5 percent.''

The Philadelphia Inquirer: ''Working Poor Struggle to Get By.''

The Pittsburgh Tribune Review: ''Demand for Food Stamps 'Very Close' to Record.''

All across the State and across the country, it is the same headlines, the same story, the same economic trauma, because of a food security challenge we face. The data shows evidence of this disturbing trend. The demand for food stamps in Pennsylvania is skyrocketing.

Back in December of 2000, before this current President took office, approximately 757,000 Pennsylvanians—1 out of every 16—were enrolled in the food stamp program. But this past December, 7 years later, that number has risen dramatically to 1.4 million Pennsylvanians, accounting for 1 out of every 10 State residents. This trend shows no sign of stopping.

From December 2007 to March of 2008, Pennsylvania enrolled an average of 10,000 new individuals in food stamps every month, bringing the total enrollment to 1.18 million. But the situation in our State is far from unique. All across the country the number of individuals enrolling in the Food Stamp Program continues to rise at historic rates. From December 2006 to December 2007, more than 40 States saw recipient numbers rise, and in seven of those States the 1-year rate of growth topped 10 percent. The Congressional Budget Office predicts that starting in fiscal year 2009, 28 million Americans will be enrolled in the Food Stamp Program, the most ever enrolled in this program since its inception 40 years ago.

For the millions of Americans struggling from the effects of economic recession and rising food prices but making too much to qualify for food stamps, food banks can provide some measure of respite by providing food to those who could not otherwise afford it. Unfortunately, these food banks are struggling as well from a combination of increasing food prices, decreasing donations, and increased demand.

Wholesale prices for such foods as eggs, flour, rice, fruits, vegetables, and dairy products have dramatically spiked in the last 8 years. For food banks this price spike resulted in diminished purchasing power, translating into the availability of fewer supplies to meet an ever-increasing demand. While there is no accurate nationwide or even statewide data to show the effects increased prices and increased demand are having on food bank supplies, we know from news articles, television stories, and firsthand reports from those working at food banks that this food security crisis has adversely affected emergency food assistance programs in every State.

The Senate-passed version of the 2007 Food and Energy Security Act, otherwise known as the farm bill, includes several measures intended to shore up Federal antihunger assistance programs. In fact, 67 percent of the funding of this bill is dedicated to protecting Americans from hunger. Provisions incorporated in the bill combat hunger, and they include measures to increase the value of food stamp benefits and language to increase the annual level of Federal commodity purchases for food banks from $140 million to $250 million.

Unfortunately, while the House and Senate are making strides in bringing their differences together, the longer it takes to complete this bill, the longer struggling Americans must wait for some measure of relief. Rising food prices and their effect on poor and working families are only part of the food security equation. While part of the increase in food prices can be attributed to the rising fuel and energy costs needed to produce and distribute these products, the far bigger driver behind those increased costs is lack of supply. Internationally, as well as domestically, food prices have been affected by severe shortages and record inflation of major food commodities such as corn, rice, soybeans, and wheat.

The head of the World Food Program has called the global food crisis a ''silent tsunami,'' affecting the world's most vulnerable without regard to geography or traditional borders. World Bank President Robert Zoellick has said that surging food costs could translate into ''seven lost years'' in the fight against worldwide poverty.

Weather disasters and crop losses have caused devastating shortages across Africa and the Asia-Pacific, leading to historically low levels of world stocks of key commodities. Australia, one of the leading worldwide wheat producers and exporters, has endured several consecutive years of drought and last year lost 60 percent of its total wheat harvest. Floods in Asia have destroyed global production centers of wheat and rice as well.

The rapid economic growth of China and India have lifted millions out of poverty, but it has also succeeded in creating a new middle class complete with Western appetites for a diet of meat and protein. While foods such as rice and wheat remain a staple of the traditional diet, increased demand from China and India for meat produced from grain-fed animals is putting a strain on global supply and will only grow over time. Many of the commodity supplies these countries once exported are now being used for domestic production. Threatened by shortages at home, many countries have

banned exports of critical foodstuffs, disrupting supplies for neighbors and trading partners and sending shock waves through the global markets.

Import-dependent countries such as the Philippines are left with no choice but to pay top dollar to forestall future crises. Others have added artificial incentives to attract food imports. These counterproductive actions only exacerbate food shortages and foster a beggar-thy-neighbor approach. The United States must work with the U.N. and other international actors to press countries against adopting such counterproductive measures. We must start looking at mid- and long-term strategies for helping countries deal with this crisis.

Higher food prices not only increase the potential for humanitarian disasters, they can also spark political instability and impact U.S. foreign policy. We have seen the devastating effect the food shortage has had on developing nations around the world, sparking violence and riots and putting added pressure on already fragile and underresourced governments.

Last week we saw protesters in Haiti chanting ''we are hungry'' and forcing out the Prime Minister. Food riots erupted in Egypt and Ethiopia, and troops were used in Pakistan and Thailand to protect crops and storage centers. According to the U.N. Food and Agricultural Organization, 37 countries are now facing a food security crisis and are at risk of a food-related upheaval.

In areas of vital concern to U.S. national security, such as Afghanistan, the food crisis threatens hard-fought progress we have achieved in peace, stability, and reconciliation. In Darfur, where the refugees and internationally displaced have already suffered under war, famine, and genocide, the international community may be forced to cut food supplies. The United States can serve its national security and humanitarian objectives by fully funding overseas emergency food assistance programs.

In March, I sent a letter to the Appropriations Committee along with Senator DURBIN and a number of other Members of the Senate calling for a $200 million increase in the fiscal year 2008 supplemental budget request to address the predicted shortfall in U.S. food assistance programs. Although President Bush directed the Agriculture Secretary to take out $200 million from the Bill Emerson Humanitarian Trust to help with the crisis, this is only a short-term fix. The United States must do more by increasing our bilateral and multilateral contributions in funding to replenish the trust.

Supplemental funding in PL 480 title II programs is essential to maintain current food aid programs at current levels and meet the increased cost of food, freight, and fuel production. America can do more, and we must. While I don't claim to have all the answers to this mounting domestic and international crisis, I do believe this is an issue deserving the full attention of the Senate. We need to begin this effort with final passage of the 2007 Food and Energy Security Act and continue by including funding for domestic and international food aid in the supplemental appropriations bill. But these measures in and of themselves will not be enough.

We must act, we must legislate. The moral gravity of this food security crisis cannot be overstated. It is a matter of economic justice. It is also about preserving human life and alleviating suffering. It is also a matter of national security.

I yield the floor, suggest the absence of a quorum, and ask unanimous consent that time under the quorum call be evenly divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ENZI. Mr. President, I ask unanimous consent that I be allowed such time under morning business as I might consume.

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

HEALTH INSURANCE

Mr. ENZI. Mr. President, I just got back from Wyoming. I am in Wyoming almost every weekend. I travel to a different part of the State each time so I can see all the people. As a result, I do not do any polls. If you talk to more people in a weekend than pollsters cover when they do something, you can get a pretty good feel for what is happening.

I did run across a national poll, and the poll said the No. 1 concern on the minds of people in America was jobs and the economy. They said the No. 2 concern was health care. There is an interesting little anomaly in No. 1 and No. 2, which is when you talk to people about No. 1, jobs and the economy, one of the reasons they are concerned about jobs and the economy is because they don't want to lose their health insurance. If their job disappears, they are out there in the market and they don't have the coverage.

So I am going to talk about health care today. I have been talking to a lot of folks about health care, which isn't difficult because it is on everyone's mind these days. During the last work period—and we sometimes call it a recess, but I prefer to call it a work period because I usually travel from 1,000 to 5,000 miles around my State during that time—I went on a 10-stop tour of Wyoming. In just over 3 days, we drove over 1,200 miles and visited 10 towns and I met with lots of Wyomingites. I even spoke to people at several stops who live outside those 10 communities but drove miles and miles to come to our meeting. Wyoming does have miles and miles of miles and miles—about 400 miles on a side—and it is a long way between towns.

The dedication and passion of the people who live in the towns and the people who drove all those miles strengthens my commitment to getting something more done about health care. We need to do something. A lot of people feel more economically secure when they have health insurance. They know that if they have health insurance and something happens or they get sick, they will be able to get the care they need without mortgaging their home or going bankrupt. That is another concern on their mind. Nobody should have to worry about that. Everybody should be able to carry a health insurance card in their wallet.

The news isn't all bad, however. There have been plenty of wonderful things that have come from our health care system in recent years. Each year, new technologies are being invented and new drugs are being created that allow people to live longer and healthier lives. Researchers are finding cures for diseases, and parents are able to take care of sick children. They are able to take them to clinics in shopping centers and pharmacies to get throat cultures and flu shots. Plenty of good things are happening, but we can do better.

Now, during my Wyoming work periods, my wife Diana and I travel around and talk to folks about health care. I listen to what they tell me about the problems they are having and I bring that information back and I compare it to what my colleagues are saying. One of the things I do is to teach the East about the West. So when I am in DC, I usually have to explain to folks how Wyoming is different, how a plan designed around New York or Massachusetts would not work for Wyoming. I have to tell them it can be hard to get doctors and nurses to come to Wyoming. The smaller the town, the harder it is to attract good people. I remind the people in the East that we have a lot of people who work at the mines and in the oil patch and in the natural gasfields. They work hard for their hourly wages doing difficult and dangerous tasks. The type of health care they need is different than the type someone working at a computer needs. How do we help the construction worker and the computer technician both get better health care that fits their unique needs at a more reasonable price?

My position on the Senate Health Committee has allowed me to do a lot of research on this subject. I have talked to patients, health care providers, scientists, and financial advisers. You name it and we came up with a plan that I think is flexible enough to work for everybody.

The bill I have put together is called Ten Steps to Transform Health Care in America. The bill would get everyone an insurance card to carry in their wallets and purses. If you already have an insurance card, the bill will make sure you get to keep the card by wrangling in health care costs until they are affordable. The biggest danger people who have an insurance card have is costs are going to become so astronomical that it would not be offered anymore. We have to see that doesn't happen.

Why 10 steps? Well, I have discovered, over the course of the years I have been in the Senate, that if you put together one massive, comprehensive bill that solves everything, you will get a lot of discussion, but you would not get many results because one piece will have 5 people who don't like it, another piece will have 8 people who don't like it, and another piece will have 11 people who don't like it, and another piece will have 3 people who don't like it, and pretty quickly you are at 51 votes against you and you cannot get the bill done. When you try to do something comprehensively, it often looks revolutionary. We don't do things ''revolutionarily'' in the Senate. We do them ''evolutionarily.'' So I put together 10 pieces. If we don't get all 10, or even if we only get one, it is not a problem because any 1 step gets us closer to having every American insured. All 10 together would get every American insured. I will briefly walk you through all 10 steps.

In order to understand how the bill works, it is important to review a few facts of the history of health care insurance in our country. Right now, about 60 percent of the people under age 65 are getting their health insurance through their jobs. The question is, why are 60 percent of Americans getting their health insurance through their jobs? The short answer to that question is because of the way employer-sponsored health care insurance is treated for tax purposes.

Our current health insurance system is biased toward employer-based coverage due to a historical accident. The wage controls of World War II increased competition among employers for recruiting the best employees and incentivized employers to offer health benefits instead of increased wages. They weren't allowed to offer increased wages. In 1954, Congress codified the provision declaring that such a contribution would not count as taxable income. This tax policy made it very favorable for individuals to get their health benefits through their employers and, consequently, has penalized individuals who get their coverage through the individual market.

The Joint Committee on Taxation estimated that removing this tax bias and a few related health care tax policies will save the Federal Government $3.6 trillion over the next 10 years. That is real money—even in Washington. That is a lot of money that can and should be used to expand choices and access and give individuals more control over their health care. Ten Steps ensures every American can benefit from these savings—whether they get health care from their employers, from the individual insurance market, or they decide they want to get off Medicaid and switch to private insurance. That is one of the options.

How does this bill do it? The plan gives all Americans that have at least a certain amount of health insurance a standard tax deduction. The national above-the-line standard tax deduction for health insurance will equal $15,000 a year for a family and $7,500 for an individual. The bill also gives low-income folks a tax credit equal to $5,000 for a family and $2,500 for an individual. The subsidy amount phases out as incomes get higher, so some folks would not be eligible for the subsidy, but everyone is eligible for the standard deduction I mentioned first.

The bill takes this hybrid approach of coupling the standard deduction proposal with the tax credit proposal because I think it is the best way to ensure no particular group of people is adversely affected. I know some folks are advocating for just a standard deduction, and other folks are advocating for a tax credit. My plan does both, but I am supportive of all approaches. I am pleased so many colleagues agree we need to fix the flawed Tax Code. The bottom line is we need to get something done. Correcting the flawed Tax Code will make it easier for working Americans to buy health insurance. Jobs don't need insurance; people do.

One of the things this tax policy would do is encourage more companies in the insurance business to provide more options to the people. The options would vary in price, bringing prices down through more competition. We talked about Medicare Part D and got that instituted in the United States for the cost of pharmaceuticals to seniors to go down. I was concerned about how that would work. Wyoming has a low population. I think it will be about half a million in the next census. I wasn't sure we would be able to attract competition to our State. There is a little provision in Medicare that says if there isn't any plan interested in bidding, the Federal Government will provide a plan. In Wyoming, we had 49 companies bidding for each person's pharmaceutical work. It gave a lot of options and, more importantly, it brought the price down about 20 percent before we ever got started. That is what competition does. We also need to make sure the insurance is portable; that when one person changes jobs, they can be sure they still have their insurance. Some people are locked into jobs because they, or a family member, have a preexisting condition that will preclude them from getting insurance if they change.

The fourth step gives small businesses greater purchasing power to reduce the cost of insurance plans. Right now, a lot of rules are in place that prohibit groups of businesses from getting together and pooling their purchasing power across State lines—in fact, across the whole United States—so they can negotiate better deals on insurance cards. That doesn't make sense. If a group of shoe stores in Wyoming wants to get together with other shoe store owners in Montana and Colorado and the rest of the United States and band together to get a greater discount on health insurance, they should be allowed to do so. This isn't a brand new concept. Some States have enough population that they are able to do this anyway within their State borders. Ohio is a great example. They have been intensely interested in this piece of legislation. They have put together the small business health plan within their State, and it has saved a tremendous amount of money. They were inventive enough to do it in the first place and smart enough to know if they can expand across State borders and across the United States, they can reduce those prices a lot more. We should not be keeping them from doing that.

I mentioned earlier that jobs don't need health insurance, people do. Right now, when a small business wants to get health insurance for employees, they contact the health insurance agent and tell the agent how many are employed and they give information about the employees and then the agent quotes a price for offering health insurance to those employees.

Right now, there are some Federal rules in place that govern that process for small groups of employees and make sure the groups are fairly treated by insurance companies. The protections provide assurances to consumers that insurers will deal with preexisting conditions fairly and provide coverage—even to small groups. This has helped keep costs down for small businesses, but more needs to be done, especially given that none of these rules apply to individuals who purchase health insurance on their own. At a minimum, we need to make sure individuals get treated the same way groups get treated.

The fifth step blends the individual and group market to extend important HIPAA portability protections to the individual market so insurance security can better move with them from job to job.

The sixth step is possibly the most critical and one we must take to reduce medical costs across the board. This step moves our system from one that provides sick care to one that provides health care. That is an important distinction. As Ben Franklin said: ''An ounce of prevention is worth a pound of cure.'' We need an innovative system that will do more to help Americans prevent and manage chronic illness, so they can live healthy lives with fewer medical costs. The Ten Steps plan would do that.

The seventh step gives individuals the choice to convert the value of their

Medicaid and SCHIP program benefits into private health insurance, putting them in control of their health care, not the Federal Government. The rationale for this step is simple: If the market can provide better coverage at a lower price, then why not allow Americans to access that care?

This gives low-income individuals more options about where they can receive care and what care is available. It is time for people to start making decisions about their care. Let's get the Government out of the doctors' offices.

The eighth step is one that Congress has come close to passing in years past—a bipartisan plan to encourage the adoption of cutting-edge information technologies in health care. The health care industry is the last industry to go digital. Think about what technology has done to revolutionize every other industry and how it has led to a more efficient use of time and resources. The health care industry should not lag behind. The time has come for health information to go digital so we can save thousands of lives and billions of dollars.

Mr. President, did you know that you own your own health care record? I would like to know how many of my colleagues have theirs with them. I am willing to bet none not even me. Try to get your health care record some time. But you ought to have your health care record on a card you carry with you that has everything about you so if you come from Wyoming out to Washington, DC, and you get in a wreck, the doctor who is taking care of you can have all of the information he needs to make sure that while he is taking care of you, he is not hurting you another way. Right now, some of that technology is available in Wyoming, and some of that technology is available here. The difficulty is the card in Wyoming cannot be read here, and the card here cannot be read in Wyoming. Of course, we hope people will come out to Wyoming for a vacation, and we hope they do not get in an accident. If you are in Yellowstone Park, Grand Teton Park, or other beautiful places in Wyoming, if you get sick, we want the doctor there to have all the information he needs to be sure you are taken care of. That is possible now. We just need a standard of getting that information from one part of the country to another. You can take your ATM card anywhere in the world and get cash, but you cannot take your medical records anywhere.

There is another big problem with medical records. You go to one provider, and he has a test done. He sends you to a specialist. The specialist says it is going to take too long to get the test over here, this is important, and it is an emergency, so they do the test again. Do you know how much the tests cost? Sometimes $3,000, $4,000, $10,000, and they are duplicated. The RAND Corporation said duplication of tests may be costing us as much as $140 billion a year. That is real money. That is real money that could be spent on health care and health IT.

Some are concerned about the impact of health IT and electronic health records on the security of personal data, data security. Let me assure my colleagues that protecting patient information is a very high priority of mine, and nearly every section of this bill demonstrates it.

The health IT bill does a lot to build on protections we already have in place. The bill establishes the American Health Information Community which is made up of experts representing a complete cross section in health care, consumer, and technology communities.

The American Health Information Community is charged with providing the Secretary of Health and Human Services recommendations concerning national policies for adoption by the Federal Government to ensure that patient data remain secure. But there is another important part to this. The companies that are putting together these programs that we assume will have standardization so they can be used in all parts of the country have a real desire and a real need, if their product is going to be lasting, to be sure there is data security. They work on that every day, just as the banks work on your ATM card every day to make sure somebody is not getting your money. It should not be a worry.

The ninth step of the bill is one of the most important steps for frontier areas such as Wyoming. An insurance card in your wallet will not do any good if there is not a doctor or hospital around when you need care. If there are not enough nurses working in that hospital or no one is working at the desk to admit you, a health insurance card will not help you very much.

The 10-step plan addresses this problem by helping future providers and nurses pay for their education and encouraging them to serve in areas of great need. The plan provides competitive matching grants for States to encourage nurses to return to the profession after having left the workforce for 3 years or more.

People are living longer. People can be active longer. We need to encourage more people to stay in the workforce longer. This will do it for nurses and help solve a tremendous problem seniors are going to have.

The plan also boosts the current programs we have that are working well—the Community Health Centers Program and the loan repayment programs for the National Health Service Corps. Those community centers are providing a lot of health care to a lot of people who would not be able to get health care otherwise. We have the reauthorization ready to go on that issue and almost complete.

Another piece that is critical to Wyoming, the 10-step plan builds on the success of the current rural health care programs by ensuring the appropriate development of rural health systems and access to care for rural patients.

One of the things that continues to be very important to me as I work on this 10-step plan is listening to real folks about what they want from their health care. One thing I heard over and over is that seniors want to stay in their homes longer. They do not want to go to nursing homes if they don't have to. Sadly, because of the way our laws are written and the way our reimbursement policies are structured, folks are sometimes left with no option but to go to a nursing home. If the policies were different and there were more options and there were more flexibility, seniors could stay in their homes longer.

My plan works to do just that by putting the emphasis on community and home-based care, which is often much preferred, less costly and proven to increase the quality of life. One way to do this is by supporting programs such as the Greenhouse Project which creates a community setting rather than an institutional setting.

The final step of the 10-step plan decreases the skyrocketing costs of health care by restoring reliability in our medical justice system through State-based solutions. No one—not patients or health care providers—is appropriately served by our current medical litigation procedures.

Right now, many patients who are hurt by negligent actions receive no compensation for their losses. Those who do receive a mere 40 cents of every premium dollar, given the high cost of legal fees and administrative costs. That is simply a waste of medical resources.

Additionally, the likelihood and the outcomes of lawsuits and settlements bear little relation to whether a health care provider was at fault. Consequently, we are not learning from our mistakes. Rather, we are simply diverting our doctors, and they are spending more time in the courtroom. When someone has a medical emergency, they want to see a doctor in an operating room, not in a courtroom.

Those are the 10 steps. As I mentioned before, I worked on 10 steps so we can break the steps into separate bills and move them one at a time in a moveable, reasonable piece. Despite the intentions of Congress, we have to work in incremental doses rather than monumental doses in order to get anything done.

Some of the steps I have mentioned are newer ideas that still need some time to be worked out and will still need some tinkering around the edges, but some of the steps I went over today are ready to go. Health IT could be done any day this week. Those bills are drafted, they are stand-alone bills, and they are ready to move through Congress at any time. We need to do it.

Some people say this is a Presidential election year; what do the candidates think about it? What do they think about it? They are covering that a little bit. I think Senator MCCAIN made a speech earlier today about

health care and some of the things he intends to do with it. I have heard other speeches from other candidates. We do not need to wait for a Presidential election to do something in health care, to do anything in health care. When a person gets elected President, they give us pretty good suggestions, but they no longer get to vote on any of the issues. We have to do the votes. We have to draft the legislation. We have to do the debate. There is no reason to wait until we have a President, no need.

There is a need—a critical need, an understood need—by the people of America that we need to do something on health care and we need to do it right now. It is such an issue of great concern to the American people that it transcends politics as usual.

I never ask when I am in Wyoming whether a person is a Republican or Democrat when they bring me an idea or a problem. I just want to know what the idea is or what the problem is, and I do like it when they provide a solution with it as well. If it is doable, we do it. That is what we need to do on health care.

If we make sure that we transcend politics, if we get away from the polarization of a political year, we will have an opening to get something done that will help patients and doctors.

I am going to suggest we use my 80-percent rule. I came to Washington as a firm believer in the 80-percent rule. That is, we can reach agreement on 80 percent of the issues and we are probably never going to reach agreement on the other 20 percent. By focusing on 80 percent of the issues we can agree on, we can get something done. If we continue to let the 20 percent we disagree on serve as a roadblock, we will let some great opportunities pass. That is something we cannot afford to have happen again and again.

I truly hope this is the year we stop talking about health care and start doing something about it because Americans cannot wait another year. They do not want to wait for an election to see some changes. They certainly do not want to wait another year to stop their health care costs from going up and up. They want to see change, and they want to see change now.

Our small business owners, our working families, our millions of uninsured cannot afford to wait, and we can do it. We can do it now, and we can do it together.

Last week, we passed the genetic nondiscrimination bill. That has the potential to provide health care as opposed to sick care. That has the potential to let people have their blood tested to find out what possibilities there are to what could happen to them based on their genetic information so they can keep that from happening.

What the bill does is make sure that the information you get from that testing cannot be used against you by your insurance company or your employer. That should give you encouragement to find out more about yourself so if there is something that could be a preexisting condition, you can keep it from becoming a preexisting condition and your insurance company cannot make it a preexisting condition until it actually happens.

We have a chance to do a lot of things in health care. We have done something in health care. I hope we will get health IT done in health care this week or next week. There is no reason we cannot. The small business health plans, to let the companies group together over State lines, there is no reason that cannot get done. There are several ideas out there that have been put together well that can be combined to get something done. I hope it goes through the regular process, which means through committee. I also noticed legislation that does not go through a committee around here does not get done, and that is because it has not had that chance to be worked on in a very individual way. When we are in committee and doing a markup and there is a problem three or four people have, they can go off and work on that problem and come up with a solution. Sometimes it is a compromise; sometimes it is leaving something out; sometimes it is a brandnew way. That is where the innovation happens, in committee. Whenever we avoid the committee, what we are saying is: We have this legislation we want to shove down your throat. It will help make each side take some bad votes, and this is an election year, so maybe we should have some bad votes. I don't think that is necessary. I think there are solutions out there, solutions we can reach agreement on, solutions we can finish, and what is more, I think the American people expect it and, more importantly, demand it. We can do it. Let's do it.

I yield the floor.

Mr. DURBIN. Mr. President, is there a unanimous consent agreement with respect to the order of speaking or the time?

The ACTING PRESIDENT pro tempore. There is no consent with respect to the order of speaking.

Mr. DURBIN. It is my understanding there is 39 minutes remaining on the Democratic side?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DURBIN. I ask unanimous consent to be recognized for 9 minutes and to be notified by the Chair when that time has expired.

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

NEGLECTING AFGHANISTAN

Mr. DURBIN. Mr. President, so much of the debate here in the Senate is consumed by the seemingly endless war in Iraq. I just left a hearing of the Democratic policy conference. It was the 13th hearing relative to the waste and abuse that took place during the course of this war. To think that we have spent almost $700 billion in the course of this war and how much of it has been wasted. We asked those who were testifying who were actually on the ground a few years ago in charge of allocating equipment and watching conduct. The estimates ranged from 30 percent to 80 percent of the money spent being wasted—taxpayers' dollars, dedicated to make a safer place for our troops—actually wasted and stolen. Unfortunately, little or nothing has been done about it.

The hearing from the Democratic policy conference began with Senator DORGAN back when the Republicans were in control of Congress and refused to hold the same hearings in the official committee structure. Now there are more hearings and more investigations both on the House and Senate side. But we can only hope, when a new President is elected, that President will decide it is time for a thorough investigation of the billions of dollars, taxpayers' dollars, that have been wasted in this war in Iraq—money not spent to make our troops safer, not spent to achieve our objectives but, rather, to line the pockets of greedy people.

This isn't the first war in which this has happened, but it is certainly the only time I can recall when an administration has been so cavalier when it comes to this occurrence.

We talk a lot about the war in Iraq. We should not forget what is happening in Afghanistan. This is a war that was declared shortly after September 11, unanimously in the Senate. Given how much blood and treasure has been lost in Iraq, it is easy to forget the stakes in Afghanistan.

Afghanistan was the original home for al-Qaida. It is where Osama bin Laden planned his attack on the United States. He may very well still be alive in the border area of Afghanistan or nearby in Pakistan. If Taliban hosts freely allowed al-Qaida terrorists to train in camps there, we understand the threat that could pose. The Taliban also ruthlessly suppressed its own people, particularly its women.

Let's remember what the 9/11 Commission said about Afghanistan:

> Bin Ladin appeared to have in Afghanistan a freedom of movement he lacked in Sudan. Al-Qaida members could travel freely within the country, enter and exit it without visas or any immigration procedures, purchase and import vehicles and weapons. . . . The Taliban seemed to open the doors to all who wanted to come to Afghanistan to train in the camps. The alliance with the Taliban provided al-Qaida a sanctuary in which to train and indoctrinate fighters and terrorists, import weapons, forge ties with other jihad groups and leaders, and plot and staff terrorist schemes.

Why revisit this history? Because the Taliban and al-Qaida have been regrouping along the Afghan and Pakistan border. In fact, now, more than 6 years into the war in Afghanistan, we are at risk of losing some of our hard-

fought gains, gains paid for with the blood of American soldiers.

Recently, Admiral Mullen, Chairman of the Joint Chiefs of Staff, stated the obvious—that the U.S. military has too many troops tied down in Iraq to send reenforcements needed in Afghanistan. It is clear again this President decided before he won the war in Afghanistan to start a new war in the Iraq, at the expansion of our original mission. According to Admiral Mullen, ''There are force requirements [in Afghanistan] that we can't currently meet.'' He said, ''Having forces in Iraq at the level they're at doesn't allow us to fill the need that we have in Afghanistan.''

The GAO just released an assessment of U.S. efforts to counter terrorist activity in the border area of Pakistan. The report concluded that the United States has not met its national security goals in Pakistan's tribal areas and that ''. . . al-Qaida has established a safe haven near Pakistan's border with Afghanistan.''

A top Army commander, MG Jeffrey Schloesser, warned that Afghanistan could see record levels of violence this year.

Just the other week, the British charity Oxfam released a report noting that Western countries have failed to deliver $10 billion of nonmilitary assistance pledged to Afghanistan since 2001. The United States is responsible for one-half of that shortfall. Despite the billions that have been spent in Iraq, we have failed to keep our promises when it came to humanitarian assistance, nonmilitary assistance, in Afghanistan.

This is not isolated. The World Bank has spent approximately half of its commitments to Afghanistan; the European Commission and Germany, less than two thirds; and the Asian Development Bank in India, a third.

Take another example—support for the National Solidarity Program, widely regarded as one of the most successful development efforts in Afghanistan. The 5-year-old program is funded by international donors, administered by the Government of Afghanistan. It is one of the few to reach into rural areas. In this program, village residents work collaboratively with local governments to identify developing needs. There is a feeling of ownership, of participation. Women are actively involved. Because of the sense of ownership, the Taliban is less likely to destroy these local projects.

Take for example the recent example profiled in the Washington Monthly. In the village of Dadi Khel, residents came together to decide on developing a small hydroelectric turbine for the nearby river. When finished, it will be able to provide electricity to about 300 families in the village.

Next to the site is a poster nailed to a tree that clearly shows to all the disbursement of funds for the project. A local teacher told the reporter, ''This is our money. All the time we are checking whether it's spent correctly.''

Yet this novel program is facing a shortfall of hundreds of millions of dollars to continue work in existing communities—let alone to expand into Afghanistan's remaining 7,000 villages. While Canada, Germany, and the U.K. have all increased financial support for this program, U.S. funding was reduced between 2006 and 2007.

It's not surprising therefore that the Oxfam report said that international development aid to Afghanistan remains ''woefully inadequate.'' Oxfam noted that only $7 is spent in international development assistance in Afghanistan for every $100 in U.S. military expenditures.

That translates into less development aid per capita in Afghanistan than the world spent in postconflict Bosnia or East Timor.

How could we let this happen? How could we take our eye off the ball?

Of course, part of the answer is that this administration diverted critical military, intelligence, and civilian assets from Afghanistan to Iraq.

Just imagine how much more progress we could have made in Afghanistan if we had not gone into Iraq.

But another part of the problem is that we have not done enough to support long term development efforts so critical in winning the hearts and minds of the Afghan people.

I remember during a visit to Afghanistan last year that there were only six American agricultural experts for the entire country—I think today there are eight. That is right, for a nation with an agricultural economy and record poppy harvest, only a handful of agricultural development experts.

Sadly, I suppose this is not really surprising. USAID has seen its number of full time Foreign Service officers drop from a historic high of over 5,000, to only 1,000 today. The Peace Corps has seen its budget in real dollars drop by almost 40 percent since its inception in 1961.

America's strength comes not just from its military might, but from the power of its ideas, from its generosity, and from its ability to serve as a beacon of hope, human rights, and democracy. I fear in recent years a measure of this leadership has been lost.

We must ensure that the efforts in Afghanistan, and in Pakistan, receive the resources they deserve. We must invest in development activities that work to develop economic and educational opportunities. We must help with agricultural and democratic development.

And, we must work with our allies to ensure that the Taliban and al-Qaeda do not reemerge.

I hope all Members of the Senate will understand that as this administration comes to an end in just another 8 or 9 months, there will be a temptation on the other side of the aisle to blame this woeful state of affairs somehow on the Democratic Party. But this war in Iraq was initiated by this President with the overwhelming support of his party. This President has refused to change the policy in Iraq, and we continue to see an endless war, costing us dramatic sums of money, creating sacrifice in the United States, still endangering our troops, with no end in sight. That is the legacy of the Bush administration in Iraq, and that is why the war in Afghanistan, today, continues to be a challenge to the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

GAS PRICES

Mr. CORNYN. Mr. President, as the summer travel season rapidly approaches, the cost of gasoline continues to skyrocket and the American people are left to wonder whether Congress has any plans to do anything about it. Unfortunately, every ''commonsense solution'' that has been offered seems to be far from common sense or a solution because most of those that have been offered within the last year would only serve to raise, not lower, gasoline prices.

So far, Congress has offered the American people little more than newsclips and sound bites from hours of endless hearings lambasting, usually, the oil companies. The result, of course, has not been any reduction in gasoline prices but proposal after proposal to raise taxes on America's energy companies, which—guess what—would ultimately be passed on to the consumer, thus raising prices and not lowering prices. This policy posture reminds me of a quip from former President Ronald Reagan, who said, ''Congress' approach is that if it moves, tax it; if it keeps moving, regulate it; if it stops moving, subsidize it.''

History has shown that a tax increase ultimately has the effect of not only passing along costs to the ultimate consumer but of drastically reducing supply. From 1980 to 1988, this same tax idea, so-called windfall profits tax, actually caused a decline in oil production, reducing domestic oil by as much as 8 percent—that is right, reducing America's supply of its own natural resources and increasing our dependence on foreign sources of oil. The result, of course, was not eliminating a perceived windfall but, rather, causing a precipitous fall in production of American oil and, as I said, an increased dependence on foreign oil.

The problem, then, is the same as the problem today—not a cabal of oil executives conspiring to swindle the American people but a shortage of oil around the world. With burgeoning economies such as those in China and India, demand for oil has skyrocketed, while the supply has lagged behind. Raising a tax on domestic energy companies only takes away from the capital that could be used to reinvest in domestic energy discovery and production. It does nothing to address the world's stagnant supply of oil.

We can pass a lot of laws here in Congress, and we can actually repeal a law

every now and then, but we can't repeal the law of supply and demand. This is the law that for some reason Congress just refuses to learn. In fact, one of the leading contributors to oil shortages in America is actually Congress itself, which refuses to allow our domestic oil companies to tap into American natural resources.

Revisiting failed policies of past decades and trying to beat the same old dead horse will not address our current energy challenges. Instead, some of my colleagues on the other side of the aisle have suggested a new solution, one of their new ''commonsense'' solutions: They will simply sue OPEC for more oil. Aside from the almost comical image of suing OPEC and somehow finding some court somewhere in the world that will accept jurisdiction of that lawsuit and somehow then direct OPEC to produce more oil so that American consumers can enjoy lower prices for that oil, I would be concerned, first of all, how OPEC might respond to such a threat. Would they simply laugh it off or would they turn off the spigot? But let's say the proponents of suing OPEC were successful. Would that make us more dependent or less dependent on imported oil from foreign sources? I think it is obvious that it would continue to make us more dependent on foreign sources of oil.

We simply have to get out of this mindset that we can tax, regulate, and litigate our way to greater energy independence.

At the same time, one of the things we can all agree on is the need for America to be less dependent on foreign sources of oil. We need to remember how much of an impact our energy policies have on the lives of our constituents, of 300 million American citizens. High gas prices are driving up the cost of living, they are raising the cost of driving to work, driving your children to school, they are driving up the price of fuel for the airline industry that is hitting American travelers even harder.

While it is important that we increase our supply of energy from all sources, we need to recognize too that the heavy hand of the Federal Government can sometimes have unintended consequences. Our subsidization of ethanol as a fuel source is driving up food prices, as limited supplies of corn are being split between fuel, food, and livestock feed.

At the same time, rising prices at the pump are hitting families at the dinner table as well, as transportation costs continue to drive up food prices. Now, there is no question that in the long term, renewable fuels are an important answer to the energy crisis we face today. But it is also irrefutable that oil, whether from American sources or foreign sources, will continue to be a large part of our energy supply in the near to midterm.

Our solution to increasing the supply of oil must begin here at home, using America's vast natural resources. We can develop environmentally responsible oil production here at home if Congress would simply get out of the way and allow American companies to do so. In short, the majority's response to high gasoline prices appears to be summed up in three words: Posturing, suing, and raising taxes, none of which is designed to provide effective solutions to the problems that confront working families in America today.

The end result is an energy policy that shuts off the valve of American energy, while desperately awaiting the last drops from the trickling pipeline of foreign oil. This schizophrenic approach to gas prices is best summed up in a cartoon I saw recently which I wish to share with my colleagues. This is from Investor's Business Daily earlier this month.

While Democrats demand energy companies solve their problem, they simultaneously have rejected every responsible solution. As this cartoon points out, the first segment says, ''We demand you energy companies do something about these high energy prices,'' to which they respond, ''We can drill in ANWR.'' That is in Alaska. The answer: ''Forget it.''

''How about offshore?'' The answer: ''Are you crazy?''

''How about clean coal?'' ''Out of the question.''

''Nuclear power?'' ''You are joking, right?''

''Well, don't just sit there, do something.''

That is what Congress keeps telling the energy producers in this country time and time again. But every proposed solution, whether it is drilling in Alaska, whether it is developing offshore resources from the Outer Continental Shelf, whether it is investing America's ingenuity and know-how in using clean coal technology or nuclear energy or nuclear power, Congress seems to answer: No, no, a thousand times, no. And the price of oil and the price of energy for American consumers keeps going up, up, and up. With this kind of response from Congress, no wonder energy prices are so high.

At every turn, we handcuff American producers while at the same time demand they fix the problems that Congress is creating. The only real commonsense solution is to finally take advantage of the resources we have in this country with which we have been richly blessed. It is estimated that if the Congress stopped penalizing and handcuffing our domestic energy supply, we could produce as much as 2.7 to 3 million barrels of oil a day in addition to what is being produced now.

Does that not make more sense than continuing to rely on countries such as Venezuela and Hugo Chavez, and enriching our enemies and those who use that oil wealth to invest in military weapons and the like?

Allowing American companies to begin producing this oil would send a strong message to the American people and to the market, which has run up the price of oil to about $120 a barrel because of speculation that Congress intends to do nothing about it, and this static supply and increasing demand continues to drive up the price of oil and refined petroleum products.

But the message, if we were to pass some of this commonsense legislation, would be to tell the marketplace and the speculators we are serious about addressing this by producing as much as 3 million additional barrels of oil here in America each day. It would bring down the price, I believe precipitously, and I believe nearly immediately.

Demonstrating our commitment in this way would have an immediate impact, but, unfortunately, we find ourselves locked into the same old ''he said, she said'' sort of arguments and nothing seems to happen, to the detriment of the American consumer.

We find that sound energy policies continue to be blocked that would provide access to our vast natural resources here at home. If we are tired of relying upon other nations for our energy needs, along with the national security and economic risks that that entails, if we are tired of paying high prices for their low production, is it not time we did something about it here at home?

It would be nice to see a ''Made in America'' sticker on the side of a gas pump for once. Aside from demonstrating our independence and lowering gas prices, it would provide a boom to our economy. What better stimulus to our economy could there be than creating new jobs here in America as a result of increased activity, exploring and developing our natural resources right here at home?

We have a potentially enormous domestic energy industry waiting to be permitted by Congress to start going to work. Once we give them that opportunity, it will mean the creation of thousands of new jobs as well as more affordable gasoline and less dependence on foreign oil and gas from dangerous parts of the world.

While opening American resources would be beneficial, it will not have the full intended effect unless we also encourage companies to build new refinery capacity here in America. Of course, 70 percent of the cost of gasoline is due to the cost of oil. But a lack of adequate refinery capacity to take that oil and to make it into gasoline is another reason why the supply has been limited and prices continue to go up.

We have not built any new refineries in America since the 1970s, primarily because of burdensome regulation by the Federal Government. Since we have that limited capacity, we once again run in that pesky old law of supply and demand; the only law that, try as some of my colleagues might, we cannot repeal and we cannot ignore.

If we do not increase refinery capacity, prices will only continue to go

higher. While we increase American oil production and lower our gas prices, we should also pursue technological developments and good old American know-how that will allow us to take advantage of the energy resources we do have here and are available.

We should not forget conservation efforts, and this has been one area where Congress has gotten it right by passing commonsense fuel efficiency requirements for automobiles and conserving this scarce resource.

We need to also be good stewards of the environment and ensure that we are doing all we can to use our resources wisely and not wastefully.

Finally, we need to pursue alternative energy solutions that will ensure our future energy production is secure. We need to start now to utilize and develop energy production methods that will work alongside of oil and gasoline to power America's economy into the future, sources such as, as I mentioned a moment ago, clean coal, nuclear energy; even biofuel and wind can be part of the answer to the overall fuel and energy mix our country needs.

But we need to give all of these potential power sources a free and open chance to develop and to reach their potential in the marketplace. We must encourage American innovation and technology to help us develop the ability to use these in a way that is compatible with a good environment.

We must be careful not to play favorites, as unfortunately we have, and are now seeing the consequences come home to roost and turn these industries into political tools. Different energies will work better in different areas, and all of them can work together to provide America with cost-efficient energy and the strong energy industry we need in order to fuel our growing economy.

But our future energy production starts today with removing the roadblocks that this cartoon indicates that Congress has thrown in front of every opportunity to increase energy supply and bring down the cost ultimately to the consumer.

We cannot make up for lost time, but we can start today by recognizing the mistakes of the past and what that has actually done to run up the cost of gasoline at the pump and made us even more dependent. We need to act now to build a strong American energy policy, bring down the price of gasoline, and free ourselves from foreign oil-producing nations, many of which want to do us harm.

Every day we delay brings a heavier burden on American families with the cost of gasoline. We cannot ask the American people to foot the bill for our inaction any longer. It is time for Congress to take responsibility for gas prices in America, by allowing our industries to utilize the American resources that are available to us that will eventually help bring that price down.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

TAXING THE RICH

Mr. KYL. Mr. President, I wish to compliment my colleague for his cogent analysis and remarks just now. He is absolutely right about the way we need to deal with our energy crisis today.

I wish to talk very briefly about another subject, frankly the challenge and a refrain that we have often heard from the other side; that is, that the so-called rich are an endless well that can be tapped to fund limitless spending priorities.

My colleagues across the aisle frequently argue that the 2001 and 2003 tax cuts were a giveaway to the so-called rich and that that should be allowed to expire, in effect, raising the tax rates to their pre-2001 level.

The marginal rate cuts enacted in 2001 and accelerated in 2003 reduced the tax burden for all Americans. In fact, the effective tax rate for the middle fifth quintile of taxpayers dropped more than 2 percentage points, from 16.6 to 14.2 percent as a result of these cuts.

Let's assume that the other side would not only let the tax cuts expire but actually repeal them this year. How much would taxing the so-called rich raise? The 2005 Internal Revenue Service Statistics of Income report notes that those earning over $349,700, putting them in this top marginal tax rate of 35 percent, earned a total of $1.1 trillion. Of that amount, $565.4 billion was taxed at the top rate.

These 950,000 taxpayers, or the top .9 percent, paid a total of $315.4 billion in taxes, $198 billion at the top marginal rate. So if the 2001 and 2003 tax cuts were repealed today, taxes on those filers would increase $26 billion, an increase of $27,300 per top marginal taxpayer, not an insignificant sum for those taxpayers, but clearly not enough to offset the cost of the Democratic spending plans.

What about broadening the definition of the ''rich'' by including those taxpayers in the upper middle class, or those in the second highest tax bracket of 33 percent? Would that bring in enough money?

Well, these 1.5 million taxpayers, or 1.4 percent of filers, paid $92.4 billion in taxes; $26.1 billion was paid at the marginal rate. If you increased their tax rate from 33 percent to the pre-2001 level of 36 percent, it would raise $2.4 billion in additional taxes.

Reinstating the 39.6-percent and 36-percent tax rates for the taxpayers in those two top brackets raises $28.4 billion more than under current rates, still just a fraction of what my colleagues on the other side of the aisle want to spend.

What if one reaches down a little deeper and includes the middle class by increasing taxes on people in the 25- and 28-percent tax brackets?

The ACTING PRESIDENT pro tempore. The Republican time has expired.

Mr. KYL. I ask unanimous consent for 1 additional minute.

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

Mr. KYL. A back-of-the-envelope calculation using the same data shows that raising the top four marginal rates would increase taxes for 28 million Americans, increasing revenue on a static basis $37 billion this year and $111 billion over the next 5 years, not even enough to offset the cost of the additional discretionary spending assumed in the Democratic budget resolution.

When someone claims to want to increase taxes only on the rich, taxpayers should view such a proposal with a healthy dose of skepticism. Our experience with the AMT should convince us of that. Taxing the so-called rich never raises as much revenue as the other side claims and usually manages to hit a lot more taxpayers than just the rich. Invariably, when one talks about raising taxes to pay for new spending, a lot of people who would otherwise not consider themselves to be wealthy end up paying more in taxes.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from North Dakota.

CONTRACTING IN IRAQ

Mr. DORGAN. Mr. President, I wanted to discuss two things today. One is a hearing I have just concluded of our policy committee, and then I want to talk about the price of gasoline and oil.

Let me talk first about the hearing I just concluded of the Democratic policy committee. It is the 13th hearing I have done on the issue of contracting in Iraq and Afghanistan, especially waste, fraud, and abuse of contracting in Iraq. I have held a good many hearings. I am not easily surprised any longer about what I hear at these hearings of the unbelievable waste and fraud and abuse in Government contracting, where American taxpayers are being fleeced and where our soldiers are being disserved by waste and fraud and abuse.

I do get surprised, even though I say it is hard to surprise me. Today I hear about the stealing of artwork and rugs and crystal, the stealing of gold in Iraq in some of the palaces by contract employees, the stealing of gold and melting down of gold to make spurs for cowboy boots—something I hadn't heard before—the charging of a 100-percent markup on a little thing like a laptop computer. There is testimony today of the purchase of 300 laptops to be delivered to DynCorp in Iraq. They were purchased for $1,400 apiece, and then the Government is charged $2,800. That is a 100-percent markup.

A witness told us that a colleague of his was killed in a car in Iraq in a high-risk area. He was on an official assignment in an unarmored car and that car

was hit with an ambush and he lost his life. He said that colleague should have been in the armored car, but the armored car was being used to transport prostitutes from Kuwait back to Baghdad for the enjoyment of this particular contractor's employees. So I say, I try not to be surprised, but the depth of incompetence and waste and fraud and abuse in contracting in Iraq is unbelievable.

I started the hearing today by describing again, as I have a couple of times, a piece of work done by the New York Times that I wish perhaps would have been done by the Pentagon or by the Congress in terms of oversight.

This is Efraim Diveroli, the CEO of a firm awarded $300 million in a contract by the Pentagon to arm the Afghani fighters. Our Pentagon wanted to provide weapons and ammunition to the Afghan fighters, a perfectly reasonable thing to do because they are taking on the Taliban and al-Qaida in Afghanistan. To arm the Afghan fighters, they contracted with a company who had a 22-year-old CEO. This company was largely a shell company established by this young 22-year-old's father. It had been an inactive shell company, but now it is behind an unmarked door in Miami Beach, FL. So a 22-year-old CEO gets a contract with the Pentagon. His 25-year-old vice president is a massage therapist, a masseur. So you have a 22-year-old and a 25-year-old massage therapist running a company, and they get, we are told, a third of a billion dollars in contracts from the Pentagon.

By the way, the contracts were to provide ammunition to the Afghan fighters. Here is a photograph, again, crediting the New York Times. It is first-rate reporting by three reporters. Here is an example of what they shipped to the Afghan fighters, ammunition including 40-year-old, Chinese-made cartridges, and the pictures of what the Afghan fighters received from this $300 million contract—boxes taped up, bulging at the seams and bursting at the side with bad ammunition. It is unbelievable.

The question is, How is it the Army Sustainment Command in Illinois provided a $300 million contract to a company that had a 22-year-old president of a company that used to be a shell company for most of its existence and a 25-year-old massage therapist as a vice president and they run off with a third of a billion dollars of the Pentagon's money?

Actually, the taxpayers' money, isn't it? So who is going to answer to that?

After the New York Times did their story, the Pentagon then suspended this contract. But my understanding from a discussion with a high-ranking Army official in the last week or so, that high-ranking Army official was saying privately: No, the contracting with that company was perfectly logical and legitimate. It is just that the goods that were provided the Afghanis didn't meet standards.

You tell me how a general in charge of this kind of contracting can decide to take what had been a shell company and give a 22-year-old and a 25-year-old masseur a third of a billion dollars. You justify that to the American taxpayer. It is not going to happen. That cannot be justified.

It is long past the time for this Congress to do something about it. We now have a very large urgent supplemental appropriations request in front of Congress. How much of that money is for this purpose? How many of those contracts would be as embarrassing as this contract? How many of those contracts will go to allow the kinds of things I heard for 2 hours this afternoon at a hearing I just held in the Dirksen Building? When are we going to have some feeling that some of this stuff is going to be straightened out?

I have described before what we should do about it. Some of my colleagues have put in place a piece of legislation called the Truman Commission. I fully support that. But that is a commission of people outside of our Government that will study and make recommendations on Government contracting. It is a good thing to do. I fully support it, but the President is not implementing that commission, despite the fact it was passed into law. But what we really should do as well, because you cannot delegate accountability for this, we really need what is called a Truman committee. That is a committee, a select committee, bipartisan committee in the Senate similar to the Truman committee of the 1940s. Harry S. Truman created a bipartisan select committee in the Senate. It cost $15,000 at the start of the Second World War.

They held 60 hearings a year. It was bipartisan. It had subpoena power. With a $15,000 cost as they started it, it saved the American taxpayers $15 billion. This Congress needs a Truman committee. Three times we have voted on it. Three times the minority voted against it. Because it takes 60 votes, we do not now have a Truman committee.

In nearly every other major war, every other conflict, we have had some kind of select committee to do the kind of oversight, to provide the focus on the waste and fraud and abuse. But that has not been the case now. We need to fix that. We need to make that happen. We have voted on it three times, and we will be voting again because the American taxpayers deserve that kind of oversight, that kind of accountability, and so, too, do the America soldiers who are being disserved by this waste, fraud, and abuse.

ENERGY PRICES

Mr. DORGAN. Mr. President, I would like to make a comment about energy, the price of gasoline, and the price of oil.

It is not surprising to people what is happening in this country. We see the price of oil and the price of gasoline, especially the price of gasoline, go up, up, and up because the price of oil has gone skyrocketing in recent months. I have a chart that shows what has happened to the price of oil.

You can see from April of 2007 to April of 2008 the increase in the price of oil. One might say, there must be something in the supply and demand—the need for oil relative to the supply of oil—that causes this to happen. After all, it is the market system, isn't it? No, it is not the market system. There is no free market here. There is nothing about a free market here.

A substantial portion of the oil is on the other side of the world, controlled by OPEC countries. That is not a free market. They sit in a room with a closed door, and the oil ministers of the OPEC countries then make decisions about supply and the effect on price that reflects their self-interest. So this is not some natural result of a market system.

I made the point a couple days ago that Saudi Arabia, which has the largest known reserves of oil in the world, is producing 800,000 barrels a day of oil less than they did 2 years ago. Think about that. The largest producer of oil in the world has cut back production by 800,000 barrels a day. Is it surprising that the price goes up and up? That is one reason, isn't it? The largest supplier of oil has cut back production.

What is another reason? Another reason is this administration—a smaller reason but nonetheless a reason—is taking oil from the Gulf of Mexico as royalty-in-kind oil and putting it underground. Here is what this administration is doing. At a time when oil is $110 to $120 a barrel, bouncing around like a yo-yo, this administration is taking 62,000 barrels of oil every day and sticking it underground in what is called the Strategic Petroleum Reserve. The Strategic Petroleum Reserve is 97 percent filled. Yet when oil is at a record high, this administration is continuing to stick oil underground, taking it out of supply and putting it underground. That is an unbelievably inept policy because it puts upward pressure on oil prices and upward pressure on gas prices.

The fact is, this isn't just any oil. This is sweet light crude which is a subset of oil, the most valuable subset of oil. And we have had testimony before the Energy Committee saying this activity does affect the price of oil and the price of gasoline in a negative way.

When I say putting it in the Strategic Petroleum Reserve, this chart shows where they are putting it. This is what it all looks like. This is the SPR, the Strategic Petroleum Reserve. The oil goes underground. They had a choice with that oil. The choice would have been to put it in the marketplace and perhaps reduce some of these prices. Instead they stick it underground. It is a bad policy. I aim to change it in our appropriations process, in the supplemental. One way or another, we are going to vote on this.

Do you really think that at $115 to $120 a barrel, we ought to be sticking

oil underground and increasing the price? I don't.

There is another thing happening with respect to the price of oil. I just mentioned the Saudis cutting production back 800,000 barrels a day over the last 2 years. I just mentioned putting nearly 70,000 barrels underground every single day by this administration. That further cuts the amount in the supply line.

But there is something else happening with the price of oil. An orgy of speculation is occurring in the futures market for oil and gas. This didn't used to happen. The futures market is necessary. It is necessary to hedge. It is necessary to provide liquidity. I understand all that. But the futures market has become something unbelievably speculative. We have hedge funds neck deep in the futures market. Do they want oil? They don't want any oil. They just want to bet on oil. They want to gamble on oil. These are people who want to buy something they will never get from people who never had it and make money on both sides of the transaction in a futures market. We have hedge funds making big bets on oil in the futures market. We have investment banks making big bets on oil. Investment banks didn't used to be engaged in the futures market, but they are now.

In addition to that, in addition to the investment banks working in the futures market, we have investment banks that are actually buying oil storage for the purpose of taking oil off the market and putting it in storage until oil is more valuable later.

That is what is happening. We have not previously had that occur. So we have this binge of speculation in the futures market that has nothing at all to do with the supply and demand of oil. Why is this happening? At least in part it is happening because in the stock market. If you want to buy stock on margins, you have to pay 50 percent of the margin. You have to come up with half the money. If you want to buy stock on the margin, come up with half the money. If you want to buy oil on margin in the futures market, all you need to come up with is 5 to 7 percent. If you want to control 100 million dollars' worth of oil contracts, $5,000 to $7,000 will do it for you.

It is almost unbelievable what has happened with respect to the speculation in these futures markets. My belief is, we should change the margin requirements on the futures markets. When there is excess speculation, it injures this country's economy. It damages the American economy. This excess speculation has been pushing up oil prices in a very significant way.

Yes, there is a combination of things that are happening. One is, as I said, the Saudis cut back production by 800,000 barrels a day. Our Government, the Department of Energy, is sticking nearly 70,000 barrels a day underground of sweet, light crude. But it is also the case that a significant part of this, in my judgment, comes from a binge of speculation on the futures markets. I believe we should increase the margin requirement at least to 25 percent.

I want to go through a couple of observations.

On April 1 of this year, Stephen Simon, a senior vice president of ExxonMobil testified that:

> The price of oil should be about $50–$55 per barrel.

Oh, really? Then why isn't it? This is from an oil expert saying: I think the price of oil should be around $50 or $55 a barrel.

Well, this company is making plenty of money off of the current price of oil. The price is double. That company must grin all the way to the bank. That company, the Saudis, the OPEC countries, and the other large oil companies, they must be smiling all the way to the bank. But Mr. Simon says the price of oil should be about $50 or $55 a barrel.

Mr. Clarence Cazalot, Jr., the CEO of Marathon Oil said:

> $100 oil isn't justified by the physical demand in the market.

That was during a question-and-answer period with reporters. He said a more reasonable range for crude oil prices was between $55 and $60 a barrel. Now, understand what he said. He said: "$100 [a barrel] oil isn't justified by the physical demand in the market." He is the CEO of one of the large oil companies in the country.

This price is not justified by supply-demand.

Well, we are told the market system works; supply-demand determines the market price. I used to teach a little economics in college, and you teach supply-demand curves. You also talk about a free market, there is no free market here, of course.

As I started to say earlier, we have the OPEC countries, that is a cartel. We have the big oil companies—all with two names now. ExxonMobil, ConocoPhillips—they all have two names because they found they like each other and they wanted to marry up. So they merged. So they have much more muscle in the marketplace. Then we have the futures markets which have become a binge of speculation.

A New Jersey Star Ledger article from January of this year said:

> Experts, including the former head of Exxon Mobil, say financial speculation in the energy markets has grown so much over the last 30 years that it now adds 20 to 30 percent or more to the price of a barrel of oil.

Fadel Gheit is a man who came to testify before the Senate Energy Committee. Fadel Gheit is an energy analyst for Oppenheimer & Co. I think he has been with them for 25 or 30 years. He knows this business. Here is what he said:

> There is absolutely no shortage of oil. . . . I'm absolutely convinced that oil prices shouldn't be a dime above $55 a barrel. . . . Oil speculators include "the largest financial institutions in the world."

He said:

> Call it the world's largest gambling hall. . . . It's open 24/7. . . . Unfortunately, it's totally unregulated. . . . This is like a highway with no cops and no speed limit, and everybody's going 120 miles per hour.

Now, here is a picture of NYMEX, the New York Mercantile Exchange, where you can trade commodities such as oil. You will see the trading pits. A lot of people have made a lot of money in those trading pits. In fact, I have a Wall Street Journal story that describes this that is titled: "Trader Hits Jack Pot in Oil, as Commodity Boom Roars On." This describes Mr. Andrew Hall. Mr. Andrew Hall has earned a lot of money, about $250 million—a quarter of a billion dollars. It says:

> The commodities market's historic surge is generating huge paydays on Wall Street. One of the biggest beneficiaries has been Andrew Hall, an enigmatic British-born trader who, five years ago, anticipated an important shift in the way the world valued oil—and bet big.

The point of this is, here is a man who made a lot of money. I do not begrudge a man making a lot of money. But he made a lot of money by betting. He bet big. Isn't that interesting? As I said before, the notion of buying something you will never get from somebody who never had it—that is the futures market. It provides liquidity, yes. But when it goes way beyond liquidity and encompasses a binge of speculation, that is damaging and harmful to this country, then it seems to me it is not anything about the market system.

Anybody who has studied history and knows economics knows we have seen binges of speculation before. Go back four or five centuries, and you will read about a tulip bulb—one tulip bulb being sold for $25,000 because there was a speculative binge which, in the rearview mirror, looks completely irrational with respect to the price of tulip bulbs.

Well, we have seen over the centuries many of these binges of speculation. We now see it in the futures market, in my judgment, in part because the margin requirement is so unbelievably low: 5 to 7 percent. We now see binges of speculation that are driving up the price of oil and causing the American consumers an enormous amount of lost income and great difficulty.

There is a group of truckers who have come to Washington, DC, today. I was talking to somebody who was a little disadvantaged—He said he got slowed down on some travel up Constitution Avenue. I said: Well, that is an inconvenience, but think of what truckers are going through right now—a whole lot more than inconvenience. When it costs a substantial amount of money—one trucker talked about that it cost $1,000 to fill his truck with fuel. That is a lot more than an inconvenience.

I talked a week or two ago about how I think there are three airlines—perhaps now four—that have announced bankruptcy as a result of fuel prices.

We have working folks who will drive up to the gas pump tonight to try to

fill their tank, trying to figure out how to get the money. Where does the money come from to pay for the gas?

At the same time, we have people who are engaged on the futures market and who are going to the bank with the largest profits ever seen.

I think we have a right to ask in this country—when we have a market that is not a free market; when we have a perverted market, first by OPEC, a cartel, second by excessive speculation on futures markets—don't we have a responsibility to do something? I think the answer to that is clearly yes.

So my hope is we will, first, decide to support an amendment that I will offer to the supplemental that immediately shuts down placing nearly 70,000 barrels of oil every single day underground at a time when we need that in the supply pipeline. Why should we allow the Department of Energy to be taking oil at the highest possible price and sticking it underground? We can fix this, and we can fix it soon, within a matter of weeks, if we had the will to do it.

Second, while we have not previously legislated on the issue of a margin requirement for engaging in speculation on the commodities exchanges, I think if the Commodity Futures Trading Commission or other entities will not do it, I think Congress should. After all, Congress created the mechanism by which these exchanges exist. We created the referee for the exchanges, and if it does not work, then we have a responsibility to fix it.

I recall—and it does not relate to the oil companies—but I chaired the hearings on Enron over in the Commerce Committee. I had the CEO of Enron come and testify in front of me and take the fifth amendment. Ken Lay came and said he could not speak and took the fifth amendment. But when he did speak later he said he did not know anything about what was going on.

The fact is, there was unbelievable speculation going on on the west coast on wholesale electricity prices and the manipulation of markets, and it cost tens of billions of dollars to west coast consumers who were bilked out of that money.

When the system does not work, when regulatory authorities are not willing to regulate, when those who are supposed to be referees in this free market system are not making sure a perverted system is changed to make sure it works, then we have a responsibility in Congress to deal with it and to respond to it.

So I believe very strongly there are a few things we can do. First, stop SPR oil from going underground; second, find ways to increase the margin requirement on the futures market. There are several other approaches we can use as well.

But I would conclude by saying this: I am just a little tired of people talking about the free market. There is no free market here. I want oil companies to do well. I want them to find more oil. I was one of four people in this Chamber who led the fight—successfully, I might add—to open Lease 181 in the Gulf of Mexico where there is substantial oil and gas reserves. I believe we should produce more, and I witnessed that by being one of four Members of the Senate who helped get that done.

We should conserve more. We should provide much greater efficiency with all the things we use. We should provide much greater effort to renewable energy. We should do all of those things. But even as we do them, in my judgment, we have a responsibility to address this issue of oil and oil pricing. Even the oil companies say there is no justification, given the current supply and demand, for the price of oil to be above $60, $65 a barrel. We have heard it in the statements of people who run our major oil companies.

The rest of it is going up to the hedge funds and the investment banks and others who are making massive amounts of money at the expense of truckers, at the expense of airlines, at the expense of the ordinary American drivers who are trying to figure out: How on Earth do I pay this bill?, and stopping excessive speculation.

We need to fix this, and the sooner the better because I believe it is damaging our economy.

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

The PRESIDING OFFICER. The clerk will call the roll of the Senate.

The assistant legislative clerk proceeded to call the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, I ask unanimous consent that all the time remaining for morning business be yielded back.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAA REAUTHORIZATION ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume the motion to proceed to H.R. 2881, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, at 5:30 this afternoon, the Senate will vote on the motion to invoke cloture on the motion to proceed to the reauthorization of the airport and airway trust fund, also known as the aviation trust fund. I urge my colleagues to support getting to this important bill.

Before getting to the specifics of the bill, however, I would like to give some perspective on our current aviation system. And I will start with the story of Sir Robert Watson-Watt.

Robert Watson-Watt was born in Scotland in 1892. He was a descendant of the steam-engine pioneer James Watt. Robert was a student of science, with a fascination for radio waves and how they might be used to transmit information. After finishing school, he got a job as a meteorologist at the Royal Aircraft Factory, not far from London. He worked on developing methods of using radio waves to help British airmen locate and avoid thunderstorms.

After years of work, in 1935, Watson-Watt produced a report called ''The Detection of Aircraft by Radio Methods.'' The report suggested a new idea. The idea was that people could use shortwave radio to detect not only bad weather, but also aircraft, including bombers.

Watson-Watt's superiors tested his theory, and it worked. They called his new gizmo RADAR, an acronym for radio detection and ranging.

By the time that World War II broke out in September 1939, the British Government had installed radar all along the English Channel and the North Sea coasts. That gave the British advance warning of Hitler's bombers. Acclaimed historian A.J.P. Taylor said he doubted that Britain could have survived the Second World War without Watson-Watt's invention.

Next, radar was ready for commercial application. All civil aviation needed for dramatic growth was a faster set of planes. That happened with advent of the jet engine in the 1950s and 1960s.

In 1952, what is now British Airways introduced the de Havilland Comets. Those were 36-seat British-made jets that could fly as fast as 500 miles an hour. Six years later, the Boeing 707 entered commercial service. Pan Am flew it from New York to Paris in just under 9 hours—twice as fast as a propeller plane.

It took Charles Lindberg 33 hours—almost four times longer.

Seven years after that, in February 1969, the world's first wide-body jet—the Boeing 747—made its inaugural flight. With seating for up to 450 passengers, the 747 was 80 percent bigger than the largest jet of that time. The era of mass aviation was in full swing.

But as air travel flourished, growing pains ensued. And by the late 1960s, public concern over air-traffic had spilled into the headlines: Here's a news story from 1967.

Thicket in the Skies. . . . When a passenger hops a commercial plane to get from here to there quickly, he soon discovers that man does not live by one means of transportation alone. The Labor Day weekend congestion and peril underscores the point. . . .

And here's another story, from May 1969:

FAA Predicts Summer Air Jam. . . . [The FAA] forecast yesterday that, despite Federal restrictions that would limit flights at five major airports beginning June 1, air travelers might have another summer of frustrating delays.

In short, the air transport system had grown beyond anyone's expectations. Change was needed. Congress responded by passing groundbreaking legislation.

In May 1970, Congress passed the aviation trust fund. Congress built on a Nixon administration proposal to adopt a law in which users of the aviation system paid for its upkeep. The new law imposed taxes on tickets, fuel, cargo, and the like. And the law established the aviation trust fund to provide a stable source of funding for our Nation's aviation needs.

Despite some ups and downs over the last 38 years—including a lapse of the Trust Fund in the early 1980s—this system of funding air traffic has by and large succeeded. The rates of the taxes have changed. And some—like those on aircraft tires—have been phased out. But generally, this Trust Fund has managed to finance the needs of the air-traveling public.

Not anymore. Our system needs modernization, to improve efficiency and safety. Our 2008 trust fund, born in the 1970s, is paying for 1930s technology. That will change with passage of this bill. That will change with the adoption of NextGen.

And that brings us to the bill in connection with which we will vote this afternoon—the reauthorization of the airport and airway trust fund, also known as the aviation trust fund. The trust fund finances the U.S. aviation system, with about $12 billion per year in user-based taxes. The Senate substitute amendment would provide an additional $800 million to the trust fund over the next 3 years. The bill would provide needed funds to modernize our aviation system.

The Senate substitute amendment is a compromise product. It represents months of work on the part of the Finance and Commerce Committees. Its passage promises improvements in safety and efficiency for air travelers.

Key to that improvement is NextGen. NextGen is the Federal Aviation Administration's plan to modernize the Nation's air-traffic system. NextGen would address the effect of air traffic growth. It would increase air-traffic capacity and efficiency. And it would improve safety and reduce the effect of air travel on the environment.

Generally speaking, NextGen involves the use of satellite-based technology. This includes items like Automatic Dependent Surveillance Broadcast. ADS-B would allow aircraft to continuously transmit location, speed, and altitude to other planes, pilots, and controllers. And that would improve the efficiency and safety of air traffic.

Instead of using Watson-Watt's radar to tell where they are, planes equipped with ADS–B get their exact location from Global Positioning System satellites. They then broadcast their flight number, speed, and heading—automatically and continuously—to ground control and other planes within 150 miles. This is a sea change in air-traffic technology. And we need to invest in it now.

So how do we pay for NextGen? The Finance Committee passed a bill to pay for NextGen this way:

First, we set the tax for General Aviation jet fuel at 36 cents a gallon. That is up from the current 21.9 cents a gallon. This proposal was agreed to by the General Aviation community. And it will raise about $240 million a year in additional funds for NextGen. Note that this proposal does not affect those who fly planes using ''avgas,'' such as a propeller-powered Cessna.

Second, we moved partially owned planes—known as ''fractional'' aircraft—from the commercial taxation regime to that of General Aviation. Fractional owners expressed concern that without this change, their ability to fly and land in Europe would be hampered. The European Union has strict rules governing which airports commercial flights can use. And this change should allow fractional aircraft to be considered as general aviation not commercial aviation. This change comes with a cost to the fractional users.

The Senate substitute amendment drops a proposed increase on the tax on international departures and arrivals. The Finance Committee bill proposed raising that rate—currently at $15.40—by $1.55 each way. That is just over $3 roundtrip. We argued that if someone had the wherewithal to travel overseas, then the cost of a Starbucks at the airport was a reasonable price to pay for contributing to a modernized air traffic system.

But given the state of the commercial airline industry, Senator ROCKEFELLER and I agreed to drop this provision. In the face of dramatically higher fuel prices and mounting financial losses, we agreed that this was not the time to raise extra funds from the commercial industry.

All told, the package in the Senate substitute amendment raises an additional $800 million over the next 3 years. More may be needed, especially given the rapid state of technological change. I know that both the Finance Committee and Commerce Committee plan to monitor NextGen's implementation. And since this is just a 3-year reauthorization, we will be back at this again before long.

Finally, I will note that this bill is not just about aviation. The Finance Committee package also contains other critical infrastructure items, including a direly needed fix to the highway trust fund. The highway trust fund will run a deficit in 2009, unless Congress acts to repair that deficit.

In a time when our surface transportation suffers as much as—if not more so—than our air transport system, it is imperative that Congress act to restore needed monies to the highway trust fund. We need to finance construction and repair of our Nation's roads and bridges.

Taxes on gasoline, diesel, and heavy trucks finance the highway trust fund. The highway trust fund is thus sensitive to changes in the use of these items. As Americans drive less, and as vehicle fuel-efficiency increases, the highway trust fund's balance has taken a significant hit.

A highway trust fund deficit is projected for 2009. And even worse projections are expected for 2010 and beyond. As we get nearer to the next highway bill, it's important that we at least make the highway trust fund whole going into 2009. The Senate substitute amendment would do that. And I urge my colleagues to support it.

Mr. President, we'll have a vigorous debate this week. And I look forward to it.

But before that debate begins in earnest, I want to thank my colleagues—particularly Senators ROCKEFELLER and INOUYE—for their willingness to seek common ground. I think that the Senate substitute amendment is a good package.

So let us help to bring air travel from Robert Watson-Watt's 1935 idea into the 21st century. Let us adopt NextGen to improve safety and efficiency in the skies. And let us vote to move to this bill this afternoon.

Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum call be equally divided between the two sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, I believe it is absolutely crucial and probable, perhaps, but crucial that we have a vibrant and strong aviation industry and aviation industry discussion on the floor of the Senate. Not to put too fine a point on it, but the Nation's economic well-being depends on the Federal Aviation Administration and the aviation industry moving millions and millions of people and tons of cargo every single day.

I just landed at Washington National Airport, and it was absolutely jammed. I am trying to think what it will be like in 10 years. Even on the very best day, the Federal Aviation Administration struggles to operate the most complex airspace system in the world, a job made harder by an extremely antiquated air traffic control system which nobody else in the industrial

world has, but we do. It is akin to using an x ray instead of an MRI. It is antiquated, it is pathetic, it wastes a lot of time, and it creates a lot of waiting for passengers.

Bad weather, mechanical problems, lax oversight by the Federal administrators can end up stranding hundreds of thousands of passengers—and it has—increasing jet fuel costs and making it harder and harder for airlines to operate. I particularly refer to legacy; that is, to the commercial airlines, which is the heart and soul of our system. All this amounts to a perfect storm that can and very may well wreck our aviation system.

An aviation expert predicts the situation is going to get much worse and very soon. By the year 2015, delays will become so bad that none of the 1 billion people predicted to fly that year will ever get to their destinations on time. More planes will be needed, and that will lead to greater congestion in the skies, a meltdown of the air traffic control system, and it will put passenger safety at extreme risk. If the FAA cannot manage the current situation, how can we expect them to deal with the challenges of the future.

Clearly, we need to take steps to turn this situation around. We must be prepared to take bold action and chart a course toward modernizing our aviation system and improving passenger safety. Again, I remind my colleagues, we are far behind every other industrial country in the world in our capacity. Toward that end, the Aviation Investment and Modernization Act truly lives up to its name. It is called S. 1300. It will establish a roadmap for the implementation of the next generation traffic control system. That is a GPS digitalized instead of an analog, x-ray type of system we have now. It will adequately and fairly fund this system, invest in our Nation's airport infrastructure, and continue to improve small community access to the Nation's aviation system.

S. 1300 is a product of compromises, not all of them pleasing to me. It is a good bill that has been made stronger. I have no doubt it will be further strengthened as it is considered by the full Senate.

In crafting this legislation, then-Senator Lott and I listened to the industry stakeholders. Each had their own opinion on how to best improve the aviation infrastructure, which was basically based upon the premise that they did not want to pay any more for anything. The one common theme from everyone was the urgent need to modernize our air traffic control system to meet the growing surge of passengers and to deal with the enormous increase in general aviation, particularly high-end jet aircraft. I will have a lot more to say about that in the next few days.

However, in recent months, that sense of urgency has been replaced with a debate over who should pay and how much as we work through how best to fund the modernization of our air traffic control system. The far more critical point of just how severe the problem has become, therefore, has been lost. Everyone is looking at how much they are going to do about this or do about that, and the general situation, the crisis we are facing all across this country, is not being looked at. Our air traffic control system relies on radio and radar to direct the hundreds of thousands of planes in the skies. It is a relic of the 1950s. The sad truth is that the GPS device in our cars or cell phones is more sophisticated than the hardware used to guide passenger and cargo planes in the air. That should not make Americans happy.

In this Senator's judgment, our air traffic control system is a national embarrassment. Unfortunately, the administration does not share this view. They seem to be prepared to accept the status quo. More to the point, they don't seem to care and have not shown up. Before Senator MURRAY assumed control of the Appropriations Transportation Subcommittee, the administration, in fact, proposed a $600 million cut in the FAA's—and this is just a technical term—facilities and equipment account, which funds the whole question of a new air traffic control system, a digitalized GPS-based one.

To reverse this course, S. 1300 provides over $12 billion to modernize the Nation's aging air traffic control system to allow the FAA to meet the projected increase in passengers over the next 10 years. Overall, this will probably cost between $40 and $60 billion in the long run. I believe S. 1300 lays the necessary foundation for developing the next-generation air traffic control system. We create a stable and guaranteed level of funding for FAA's capital investment accounts. That is what the current situation desperately needs. As a result, passenger safety should improve, commerce will flow more efficiently, and air carriers will see their fuel costs reduced. I say that with my fingers crossed.

What should not get lost in all this talk about runways and air traffic control systems and financing is the human element of air travel. The U.S. aviation system is, in fact, the safest in the world. But underneath those statistics lie lurking a lot of danger. We have to stay vigilant if we want that record to continue. This act, called the AIM Act, includes a number of provisions to improve safety by providing the FAA with the resources to conduct thorough oversight of air carriers and foreign repair stations and upgrade the existing infrastructure at our airports. It is arcane stuff, but at the heart of our commerce system.

S. 1300 authorizes approximately $65 billion for all of FAA's operations and programs and provides approximately $16 billion for airport infrastructure grants to meet airport safety and capacity needs.

The bill also reaffirms our commitment to rural America, and it increases the authorized funding level for the Essential Air Service Program. Most won't know what that is, but those of us who live in rural areas know that we have no connection with the outside world without the Essential Air Service Program. If we want to connect with the rest of the world, we have to have that.

This bill extends the Small Community Air Service Development Program for 4 more years. What is that? I will not explain it fully now, but this program has provided dozens of communities with the resources necessary to attract and retain air service.

As a Senator from West Virginia, I know how incredibly crucial both of these programs are in keeping our rural communities connected with the national aviation system. We have to be a part of that blood flow or else we shrink up. Without these important subsidies, air carriers would have no incentive to operate in and out of the most rural parts of many States—not just West Virginia, not just Iowa, but Texas, California, all kinds of places—New York. Rural is everywhere. Rural airports are everywhere. People should not be discriminated against because they come from rural areas as opposed to urban areas.

These two subsidies—the Essential Air Service Program and the Community Air Service Development Program, the airport development program—have made an incredible impact on the economic development in West Virginia. Having flights connected with Atlanta, Dulles, even Detroit, have helped attract international investors to our State—for example, Toyota. It is absolutely essential, moving forward, that we raise the authorization for these two programs so that people everywhere can continue flying and get to where they need to go.

Our bill strengthens passenger protections by incorporating elements of the Passenger Bill of Rights to deal with the most egregious flight delays and cancellations. For example, the industry would be required to provide passengers with information regarding ontime arrivals and chronically delayed flights.

Aviation incorporates so many of the things that are so critical to us. It connects people to distant family members, links businesses to businesses, and joins the world which has already shrunk and allows people easily to interact on a global scale. It is still amazing to me to be able to board a plane one morning in West Virginia and to be halfway around the world that same day. But really, what railroads and highways were to the 19th and 20th century air transportation is to the 21st century. But I know that if we do not make investments in our Nation's aviation system now, then we will fall far behind the rest of the world. Falling far behind the rest of the world is a relative term. I just want us to be good and safe. I want us to be good and safe. We are not now. Our commercial airlines are just barely hanging on—barely.

I urge my colleagues to vote yes on the motion to proceed to S. 1300, the Aviation Investment and Modernization Act of 2008.

I yield the floor.

The PRESIDING OFFICER (Ms. STABENOW). The distinguished Senator from Iowa.

Mrs. HUTCHISON. Madam President, I ask the distinguished Senator how long his presentation is?

Mr. GRASSLEY. As I told the Senator, I have to be upstairs in 5 minutes.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that I be recognized immediately following the Senator from Iowa.

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

Mr. GRASSLEY. Madam President, transportation is an important part of the American economy. It is vital to all rural and urban communities that people are able to travel in a timely, safe, and cost efficient manner. Whether it is the businesswoman traveling to meet her clients or visit her company's plants, the tourist who wants to experience the beauty and uniqueness of our country, or the grandparents visiting their grandchildren; efficient, affordable, and safe travel is imperative.

For several years we have been working on reauthorizing the aviation bill. While this process has not always been easy, I am pleased that we reached a bipartisan agreement and have a good bill before the Senate.

All of us have a vested interest in ensuring a stable, dependable, and predictable revenue flow to the airport and airways trust fund. Aviation has changed since the last time Congress considered aviation legislation. This bill reshapes our system to better reflect today's realities. It provides more funding to further modernize our air traffic control systems, airports, and facilities. It also provides for more efficient and safe travel to reduce delays and ease congestion in our skies.

While the United States has one of the best records for aviation safety, we need to continue to do better. We are back to the level of air traffic that we saw before 9/11 and we will likely see this number grow tremendously.

In light of these capacity issues and the 1950s equipment being used to manage our skies, our Nation needs to move as quickly and prudently towards the next generation of air traffic control systems. This bill provides more funding towards this project. Now is the right time to replace the old radar technology with real time GPS technology. The American people deserve our investment in this new system.

This bill also takes an honest look at the diversity of our airport system. It structures funding for the safety and fairness of every airport in America.

Rural States, like Iowa, have many communities that rely on our elaborate air transportation system. People who live near hub airports have the opportunity to take advantage of air travel somewhat efficiently and at a reasonable price. However, those in rural areas have more difficulties. This challenge has become even more difficult after 9/11 when most small communities were reduced to one air carrier with less frequent flights. Commercial carriers only fly into approximately 500 airports, although that is a business choice and there are other airports they could serve. It is more expensive to do business in rural America. This bill will continue the vital programs that our rural communities rely on to keep competitive in the worldwide marketplace.

Over the past decade, a new prong has developed in the aviation industry. Traditionally, the focus has been on just two main categories, commercial aviation and the private airplanes for individual or corporate use. Today, we have a growing new class of business aviation, which includes the new dynamic of fractional jet ownerships. The new business class is anticipated to grow at a faster rate than other segments of the industry. This new prong is providing valuable opportunities for businesses to enhance efficiencies and productivity, and is also a potential way for rural areas to have more transportation opportunities.

While business aviation is good for and may be a saving grace for struggling rural economies, the growth of business aviation is creating more stress on our national air traffic system. This bill provides more equity by having the business sector contribute more to the funding of our aviation system.

This bill not only addresses important aviation policy, it also provides the needed funding for Congress to meet the funding commitments made in the 2005 highway bill.

Currently, we fund highway infrastructure through fuel and other excise taxes. With record high gas prices and more fuel efficient vehicles, the highway trust fund has not had the receipts that were anticipated in 2005. Therefore, a shortfall is anticipated for fiscal year 2009 and for future years.

It is vital that the highway trust fund is kept whole through the life of the current authorization, SAFETEA–LU, so Congress can look to long-term financing solutions to meet our surface transportation needs. We need to have an important national dialogue in the next year so Congress can act in a prudent and expeditious manner on the next highway bill.

Provisions included in this bill will fill the funding shortfall for fiscal year 2009. Offsets are provided so this funding will not add to the overall budget deficit. Our States need to have the certainty that this funding will be in place so they can continue with vital projects to improve safety on our Nation's bridges and roadways.

In conclusion, I want to thank my colleagues on the Senate Finance and Commerce Committees in working together to bring this important bill to the Senate floor. This bill is good for Iowa and the Nation.

Mrs. HUTCHISON. Madam President, I come to the floor today as the ranking member of the Senate Aviation Subcommittee. I am going to encourage my colleagues to support cloture on the motion to proceed to consideration of the Federal Aviation Administration reauthorization bill.

I have been working with my colleagues on the Commerce Committee and the Finance Committee to develop a bill that we can all agree on. On the main parts of the Commerce Committee bill, and the main parts of the Finance Committee bill, we have come to agreement. There is one major part that was put in at the last minute that I think will bring everything down if we are not able to negotiate it. I am going to discuss that in a minute.

But I believe we have been able, in the main Commerce committee bill, of which Senator ROCKEFELLER is the chairman, I am the ranking member of the Aviation Subcommittee that put together the package, and in the main part of that bill, we have struck a balance that would finance the modernization of the FAA airport development, rural air service that is so important in our country, and the labor-related provision.

If we want a final bill, I tell my colleagues that we must keep that balance. We cannot load up this bill with controversial provisions, many of which are in the House bill, which is the bill we are going to go to cloture on, after which there will be the substitute on with the Commerce bill.

The House FAA bill already has a veto threat against it, and the prospects of a multiyear reauthorization for the FAA will diminish quickly if we do not resist the temptation to make this a political document. We have the opportunity to pass critical funding increases for the modernization projects, timely improvements for the safety programs at FAA, improvements to small community air service, and consumer and passenger protections.

Senator BOXER and I have worked on the passenger protections, especially when an airplane is sitting on the runway unable to take off. In the bill we have before us, which we will talk more about when the substitute is put forward, there is a 3-hour limit on how long an airplane can stay on the ground without letting passengers off. We think this is a major step in the right direction.

What I am going to be looking at, as we go through the week, is that we cannot do further harm to the aviation industry in this country. Rising fuel prices, tight credit markets, and the slowing economy are wreaking havoc on our U.S. carriers. There is not one that is saying: We are doing well.

As we move forward, I hope we will keep that in mind, rather than adding burdens that cannot be maintained. If this bill is going to throw any one of our airlines into a bankruptcy position, we will have failed.

Now, I am very concerned about the pension provision that was put in at

the last, I guess in the last couple of days, that would take away a careful balance that was passed by this Congress last year. We worked very hard to make sure that the airlines that have kept their defined benefit plans, meaning they give full pensions to their members, are not held in a position that would be detrimental versus carriers that have gone to a defined contribution or 401(k) plan.

The new pension provision that was put in the Finance section of the FAA reauthorization bill does create an inequity for carriers trying to maintain their defined benefit plan. The language would create a disincentive for the airlines to fully fund their pension liabilities, because the new proposal would disallow past excess contributions being carried forward in future years as currently allowed.

To put this in perspective, for instance, American Airlines currently has about a 93-percent funding level in their defined benefit plan. However, the required level of funding for their plan is 80 percent. So they have a significantly higher level of funding than is required.

In difficult times, which everyone should see all of the airlines are in, they would be allowed, under present law, to use the excess funding level to meet their ongoing obligations like a downpayment.

Unfortunately, the language that was put in the Finance Committee bill strips that ability to use these excess contributions and instead forces them to fully fund their ongoing obligations at 100 percent. So rather than owing roughly $80 million for their annual contribution, they would instead owe $350 million. Over 3 years, that would be almost about $1 billion, even though they are 93 percent funded on their obligations.

This penalizes companies for having done the right thing in providing significant prior funding for their pensions, and it changes the rules of a carefully balanced congressional directive.

I hope we can work this out before we come to the point at which we are trying to put the Finance Committee portion of this bill with the Commerce Committee portion. I very much hope our members will become very educated on this issue, because if we are going to do this kind of harm, we should not be passing an authorization bill at all and instead do a long-term extension of the FAA authorization bill, and try to work these issues out so that no airline will be harmed or put in a significantly disadvantaged position relative to their competitors.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that I be permitted to speak for 2 minutes in favor of bringing this bill forward.

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

Mrs. BOXER. I am very pleased that Senator ROCKEFELLER, Senator BAUCUS, and their ranking members of the subcommittees and the full committee, the Chairs of Finance and Commerce have worked together to bring us to this moment where we can reauthorize the FAA bill. It has reached the time.

I was very pleased that Senator HUTCHISON mentioned the Passenger Bill of Rights that I was so pleased to author along with Senator OLYMPIA SNOWE. I was so pleased to have the support of so many on the committee. I wanted to remind everyone, it is important that we move forward on this bill.

There are so many things we have to consider now. We see what is happening with our air service. When it works right, it is terrific. Myself, today, it all worked right. I had to take two planes to get here all the way from California. It was smooth. But there are times when it is not smooth. We all know that.

But what we want to make sure of is that passengers are treated fairly, and without the heavy-handed Federal Government in everything. We make sure that the system works. That led me to author the Passenger Bill of Rights.

Kate Hanni was one of the people who got trapped on a plane for, I do not remember if it was 8 or 10 hours with her two little boys. There was no food for them. There were overflowing restrooms. It was a nightmare. People could not access their medicines. They were not allowed to, and certainly people did not have an option to get off the plane. And this happened over and over again.

I think we have all had experiences like that or we know someone who did. There is no excuse for this. People have to have adequate water, adequate food, and be able to use a clean restroom and get access to their medicines.

It seems to me that ought to be a basic rule of the airlines. It is not. And that is why we wrote this Passenger Bill of Rights, and the committee supported it in the underlying bill, and people will be granted those what I consider very minimum rights.

We think we are going to offer a perfecting amendment, because at this point what happens is, we put in there a 3-hour rule. That is the maximum time on the runway, with certain exceptions: safety, weather, other things. But we say: If an airline does not agree to a 3-hour rule, 3 hours of people trapped in the aircraft on a runway, that they have to submit an alternative to the FAA; but we do not require that the FAA sign off on it.

So we may want to strengthen that. I would alert colleagues. I hope they support us. I know I have no time remaining. I hope we will give this a strong ''yea'' vote.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. ROCKEFELLER. The time is now 5:30.

The PRESIDING OFFICER. The Senator is correct.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 383, H.R. 2881, the FAA reauthorization bill.

Harry Reid, Daniel K. Inouye, Barbara Boxer, Patty Murray, Byron L. Dorgan, Edward M. Kennedy, Christopher J. Dodd, Daniel K. Akaka, Benjamin L. Cardin, Patrick J. Leahy, Bernard Sanders, Sherrod Brown, Amy Klobuchar, Richard Durbin, Ken Salazar, Sheldon Whitehouse, Max Baucus.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is: Is it the sense of the Senate that debate on the motion to proceed to H.R. 2881, the FAA reauthorization bill, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New York (Mrs. CLINTON), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mrs. DOLE), the Senator from New Hampshire (Mr. GREGG), the Senator from Nebraska (Mr. HAGEL), the Senator from Florida (Mr. MARTINEZ), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from North Carolina (Mrs. DOLE) would have voted ''yea.''

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

The yeas and nays resulted—yeas 88, nays 0, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—88

Akaka	Bayh	Brown
Alexander	Bennett	Brownback
Allard	Bingaman	Bunning
Barrasso	Bond	Burr
Baucus	Boxer	Byrd

Cantwell	Hatch	Reid
Cardin	Hutchison	Roberts
Carper	Inhofe	Rockefeller
Casey	Inouye	Salazar
Chambliss	Isakson	Sanders
Coburn	Johnson	Schumer
Cochran	Klobuchar	Sessions
Coleman	Kohl	Shelby
Collins	Kyl	Smith
Conrad	Landrieu	Snowe
Corker	Leahy	Specter
Cornyn	Levin	Stabenow
Craig	Lieberman	Stevens
Crapo	Lincoln	Sununu
DeMint	Lugar	Tester
Domenici	McCaskill	Thune
Dorgan	McConnell	Vitter
Durbin	Menendez	Voinovich
Ensign	Mikulski	Warner
Enzi	Murkowski	Webb
Feingold	Murray	Whitehouse
Feinstein	Nelson (FL)	Wicker
Graham	Nelson (NE)	Wyden
Grassley	Pryor	
Harkin	Reed	

NOT VOTING—12

Biden	Gregg	Lautenberg
Clinton	Hagel	Martinez
Dodd	Kennedy	McCain
Dole	Kerry	Obama

The PRESIDING OFFICER. On this vote, the yeas are 88, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I ask unanimous consent to speak for 10 minutes, to be followed for 10 minutes by Senator KLOBUCHAR, as in morning business and for it to count postcloture.

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

AMERICA'S WORKFORCE

Mr. BROWN. Madam President, America's workforce is facing immense challenges. Our country has lost 230,000 jobs in the first 3 months of 2008. Many of those jobs are in the Presiding Officer's State of Michigan and my State of Ohio. The national unemployment rate has gone to 5.1 percent. In Ohio, unemployment hovers around 6 percent. Early this year, Congress passed an economic stimulus package—a necessary step but only a small step and a first step.

Wall Street projects an unemployment rate of 6.5 percent by the end of 2009. It will likely be higher in my State. We have not acted on extending unemployment insurance. The Republicans filibustered extending unemployment insurance when we passed the stimulus package earlier this year. The Republicans again have stopped our efforts and have refused to extend unemployment benefits.

Over 2.6 million Americans—35 percent of all unemployed workers—have already exhausted their unemployment benefits over the past 12 months. These are people who want to work, who have tried to find other jobs, who simply have been unsuccessful in finding decent jobs.

Workers have paid into the unemployment system for years and deserve protection now. Again, these are workers who have paid into this fund. This is an insurance fund. It is not a welfare fund. These workers deserve the compensation to help during their difficult times as they search for jobs. I urge my colleagues to end their filibuster and to work on extending unemployment insurance.

The President continues to push for a Colombia trade deal. We have not even acted on trade adjustment assistance which provides vital assistance to workers who lose their jobs because of trade. The President has actually threatened to veto the House trade adjustment assistance package.

Whether we have another trade deal, one thing is certain. Trade assistance needs to be reformed, and it needs to be expanded to workers who cannot, in every case, prove they lost their jobs because of trade, even though they probably did. It should be expanded to service workers who have lost their jobs.

Last week, Senate Republicans staged a filibuster to prevent even having a debate on giving a woman a day in court when she faces discrimination in the workplace. Today, women and victims of discrimination, based on race or age or disability or religion, are denied a remedy when they are denied equal pay for equal work. It should not be a partisan issue, but the Republicans have made it one.

Today is Workers Memorial Day—a day set aside every year to honor workers killed and hurt on the job. Trade unionists around the world mark April 28 as an International Day of Mourning.

The most recent data shows that in the United States, there were 5,840 fatal workplace injuries in 2006. Over 5,800 Americans were killed on the job in 2006, over 100 more than in 2005. This includes 196 workers in my State of Ohio.

Under this administration, workplace inspections have declined. The Occupational Safety and Health Administration has not vigorously enforced current laws and regulations on the books. It has not set any standards except by court order. It continues to rely on ''voluntary'' compliance to protect workers in many of the most dangerous occupations.

OSHA has dragged its feet on the butter flavoring chemical in popcorn that has caused a fatal lung disease known as popcorn lung disease.

That is too late for Keith Campbell in Caledonia, OH, who is 50 years old but has the lungs of an 80-year-old because of exposure to the chemical at the popcorn plant in Marion, OH.

The point is, it has taken decades of struggle by workers and unions to improve conditions in the mines, in the meatpacking plants, and in the metal stamping shops—in all kinds of plants where workers get all kinds of occupational injuries and illnesses.

This progress has been slowly, and sometimes not so slowly, unraveled by the Bush administration.

Through budget cuts and a shift in emphasis to voluntary employer programs, the administration is essentially telling workers they are on their own. It hearkens back to an era when workers were treated like disposable goods.

In election years, some candidates give drive-by speeches in towns that are hit hard by unfair trade deals and tell them the ownership society is working. In some sense, it is true. More and more, workers ''own'' responsibility for their own safety, their own retirement, and their own health care.

We hear some candidates sometimes talk about how if only taxes on the wealthiest Americans were lower, companies would not outsource production to China or Mexico or to any other country. I don't think that argument is passing the straight-face test these days.

Middle-class families aren't buying it because they see perfectly well what is happening around them. The message of the ownership society coming from the White House is that every man and woman is responsible for himself or herself. But the result of the policies pursued under that banner of the ownership society is the greatest concentration of ownership in the hands of a few that we have seen since the Great Depression. It is ownership all right but only for those in high society.

Over the past 8 years, we have seen an administration that neither values nor rewards hard work. We have seen an administration that simply doesn't value manufacturing. Manufacturing changed the face of America and created a middle class that used its strength and power to change the course of society.

The progress in labor rights, women's suffrage, antitrust laws, conservation, and the social safety net would not have happened without manufacturing and would not have happened without rewarding our work.

When the Bush administration fails to value these manufacturing jobs in the first place, why should we not be surprised when it doesn't value safety in industries such as construction, mining, transportation, and manufacturing?

Our Nation is struggling. We struggle because of the Federal Government's wrongheaded tax policy, and because our trade policy all too often encourages investors to move jobs overseas.

In the last 14 months, I have traveled my State extensively and held roundtables with community leaders, workers, activists, teachers, farmers, and veterans in almost 100 different places in 62 of Ohio's 88 counties. It is clear to me that Ohio workers are fighting back to build a decent standard of living for themselves and for others to provide opportunities for their children and to construct a more prosperous State, one where smart and hard work is rewarded.

I listened to a woman, Dee Dee, who sat in negotiations representing 1,200 janitors in Cincinnati—1,200 men and women who work hard, raise their children, and who contribute to their community; and in this case they are not earning much more than the minimum wage.

Joined by several others at the bargaining table, Dee Dee helped reach an agreement with Cincinnati's office building owners. Over the next 3 years, 1,200 janitors will get between a $2- and $3-an-hour raise, health benefits, and they will get a small pension.

In northwest Ohio, in the farmland of Henry County, Mark Schwiebert, a very productive farmer in an increasingly competitive environment, told me his story. He is proud of his farm, to be sure, but he also takes his role seriously as an American citizen. He is an advocate for family farmers and for fair trade, understanding that the prosperity of Ohio depends on a vibrant rural Ohio where young people want to stay and work in their communities.

Ohioans and workers across the country are fighting back. They did not go away after this Chamber voted down the Fair Pay Act, again a victim of Republican filibuster. They did not go away last year when Republicans mounted yet another filibuster to prevent the Senate from considering legislation to level the playing field for unions trying to represent new groups of workers. They would not go away just because this administration has ignored worker safety and is forcing more families to mourn loved ones on Workers Memorial Day.

We need an ownership society, but it needs to be one in which workers own a greater share of the profits from their productivity, and the Government and employers own a greater share of responsibility for their safety and their well-being.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Minnesota is recognized.

ENERGY POLICY

Ms. KLOBUCHAR. Mr. President, Spring is finally arriving in Minnesota, even though we had snow last week. Spring does get to our State a little later than in Washington. This is the time of year when people start thinking about putting their boats in the water and start thinking about making a trip to their cabins. We call it the lake season. It is also the time of year when farmers are preparing to put their crops in the ground.

But this year is going to be different. The average price of gas just hit $3.45 a gallon in Minnesota, and it is $3.56 per gallon nationally. The price of diesel fuel is at $4.14 per gallon nationally. Of course, the price of crude oil is at an unbelievable $118 per barrel.

People cannot afford to do the things they used to do. I don't think people usually think of going up to a small lake cabin as a luxury, but it becomes one when gas is this expensive.

I have heard from constituents who are having to cancel their family road trips or their summer vacations up north because they cannot afford the gas they need to get there. I have heard from farmers who are having a hard time making ends meet, even in spite of the high commodity prices, because the cost of their inputs—diesel fuel for farm equipment and fertilizer made from natural gas—has spiraled out of control. Of course, it is particularly hard on middle-class and low-income families because when they have less disposable income and gas goes up to these levels, it is very difficult for them to get by.

The high price of energy has inflated the price of everything from groceries to transportation to home heating, as the occupant of the chair knows, as he is from Vermont. It has impacted every sector of our economy, from manufacturing, to forestry, to farms and small businesses.

In cold northern States such as Minnesota, Spring is when a lot of people—especially senior citizens living on their own—are trying to pay off their natural gas bill from the winter. They are too afraid to think about how they are going to pay their heating bills next winter, if this trend continues.

Middle-class families are struggling with the high cost of health care and a college education already, and they cannot afford this increase in the price of gas. I just heard an expert a few weeks ago talk about, if you look at the past 8 to 10 years, a regular, average middle-class family—their costs for everything from daycare, to home heating, to gas has gone up about $8,000 to $10,000 a year. But their wages have not gone up. They don't have a choice, Mr. President, about how they are going to get to work. In my State, many don't have a choice. They have to drive. They have to get to work, get to school, and they have to get to the doctor. Any wage increase they may have gotten last year goes straight into their gas tanks. And more often than not, there haven't even been any wage increases.

Not a day goes by when I don't hear about the struggle from my constituents in Minnesota. So it is hard for me to understand how recently the President seems taken aback when someone asked him about $4 gas. The President said—remember, this was February 28. The President said:

> You're predicting $4 a gallon gasoline? That's interesting. I hadn't heard that.

To the people in my State, $4 a gallon for gas isn't ''interesting.'' It is a budget-buster for many middle-class families in our State.

The fact is, this administration has failed to provide Americans with a meaningful energy policy that would provide relief from high gas and energy prices.

This country needs a bold energy policy for the future, a policy that will stabilize prices and give consumers more alternatives, reduce our dependence on foreign oil, and provide us with the next generation of home-grown biofuels.

Brazil has already achieved this energy security. They have leapfrogged in front of our country. They can do it with sugarcane. We don't have that much sugarcane here, and we have to go to the next generation of biofuels, cellulosic, switch grass—many different things. But we have to put the reserve and incentives into place. We can do this, but we need the will, and we need to pursue a forward-looking energy policy with the same sense of urgency we used to put a man on the Moon nearly 40 years ago.

In the long term, this is going to mean strategic investments in research on hybrid electric cars, new solar technology, cellulosic ethanol, and other forms of energy from biomass.

We should be investing not in the oil cartels of the Middle East but in the farmers and workers of the Midwest. We need better fuel efficiency standards in our cars. We already have a start on that with the Energy bill and the 10-mile-per-gallon increase in fuel efficiency standards. We need to do more. We also need a renewable energy electricity standard, a portfolio standard for the Nation, like we have in Minnesota where the requirement is 25 percent of our electricity will come from renewables by 2025. It has spurred investment in wind. We are third in the country in wind now because we have been willing to take that step.

There is also much that we need to do in the short term, Mr. President. We can put a stop to oil company giveaways by ending the giveaways and tax breaks going to the oil companies and putting them into a futuristic energy policy focused on renewables. We tried to do that in the Energy bill, and we were one vote short of blocking the filibuster. I still believe we can do it.

We also have to look at the Strategic Petroleum Reserve. We can stop diverting 50,000 barrels of oil every day into that Strategic Petroleum Reserve. Of course, we need to have a petroleum reserve to protect our country in times of emergency. But the time to fill it is not when oil prices are at record highs.

Here is what the staff at the Strategic Petroleum Reserve had to say on the subject 6 years ago, in 2002:

> Commercial inventories are low, retail prices are high, and economic growth is slow. The Government should avoid acquiring oil for the reserve under these circumstances.

If this was true in 2002, it is doubly true today. Maybe I should say it is triply true because gas prices are more than triple what they were then. That is why I was proud to join with my colleague, Senator DORGAN of North Dakota, and others in sending a letter to the President asking him to halt inputs into the Strategic Petroleum Reserve to provide some relief for consumers.

Next, OPEC. Another area where we can take immediate action is in our dealings with the OPEC nations. OPEC

is a cartel of oil-producing countries that meets and decides how much oil to produce and thereby control prices. They make no pretense of having a free market system. They don't obey the laws of supply and demand. They gather together and set production, which determines prices.

As a former prosecutor, I call that kind of behavior ''collusion.'' It is illegal in our country. But the members of OPEC are foreign governments and so far they have gotten away with it.

As oil exporting nations, the members of OPEC could provide us with some relief. They have the spare capacity to increase production of oil and ease the pain being felt by American consumers and businesses. But OPEC recently met, as you know, and decided not to increase production, at least until the fall, after the summer driving season.

Not only that, Saudi Arabia has actually decreased production since 2005. So I have joined with my colleagues, Senators SCHUMER, DORGAN, and you, Mr. President, in calling on the President to demand that OPEC nations increase their oil production to provide American consumers and businesses with much needed relief.

Think about it: This country spends $600,000 every minute on imported oil. That is money leaving the pockets of American drivers going into the coffers of foreign countries. By refusing to step up production, OPEC nations are saying we don't think prices are too high yet; we want them to go even higher.

I don't think that is right. It is time this administration stepped up and did something about it. If we are going to be doing business with Saudi Arabia and some of these countries, this administration should have the leverage to push for more oil from OPEC.

Another short-term solution: Current prices are simply not justified by supply and demand. The administration likes to tell us nothing can be done, that it is a case of supply and demand. But that answer does not hold true any longer. Listen to what the oil company executives themselves have to say about this matter.

On October 30, 2007, the CEO of Marathon Oil said:

> $100 oil isn't justified by the physical demand in the market.

That is exactly what he said:

> $100 oil isn't justified by the physical demand in the market.

Let's look at what another CEO said. Here we have the CEO of Royal Dutch Shell. The CEO of Royal Dutch Shell said:

> The oil fundamentals are no problem. They are the same as they were when oil was selling for $60 a barrel.

On April 1, a senior vice president of ExxonMobil testified before the House that the price of oil should be about $50 to $55 per barrel. He said:

> The price of oil should be about $50 to $55 per barrel.

That was April 1, 2008. I note that is April Fool's Day, but he did say the price of oil should be about $50 to $55 per barrel. Why is it trading at $118? If supply and demand doesn't explain the high price, what does?

According to the experts, there is a frenzy of unregulated market speculation in the oil futures market that is driving prices up to record highs. I would like to share a quote from an energy market analyst with Oppenheimer who was recently named by Bloomberg as the top-ranked energy analyst in the country. He said:

> I'm absolutely convinced that oil prices shouldn't be a dime above $55 a barrel . . . Oil speculators include the largest financial institutions in the world. I call it the world's largest gambling hall . . . It's open 24/7 . . . It's totally unregulated. . . . This is like a highway with no cops and no speed limit, and everybody's going 120 miles per hour.

That makes you feel good. It makes the people filling up their gas tanks paying that nearly 4 bucks a gallon feel good, like a gambling hall.

Why are these trades in a commodity as vital as oil unregulated? Back in 2000, a provision was inserted into the Commodity Futures Modernization Act that exempted electronic energy trades from Federal regulation. In the absence of oversight, what was once a small niche market became a booming industry, attracting rampant speculation from hedge funds and investment banks. Oil and natural gas prices became volatile. The provision has become known as the Enron loophole because it made possible the many abuses that triggered the Western energy crisis and cost the economy $35 billion and nearly 600,000 jobs.

The Federal Government has a critical role to play in conducting aggressive oversight of changing energy markets. History has shown us that when enforcement is lax, consumers ultimately pay the price.

Simply put, we need to close the Enron loophole and strengthen Federal oversight of energy trading. I am pleased to say my colleagues, Senators FEINSTEIN and LEVIN, have succeeded in including this provision in the farm bill. It is another reason we need to get the farm bill done.

I commend my colleagues, Representative COLLIN PETERSON, from Minnesota, and Senator HARKIN and Senator CONRAD for getting this provision done.

A final short-term solution. After the collapse of Enron, the President formed a Corporate Fraud Task Force at the Department of Justice. The task force has since produced more than 1,000 convictions by aggressively pursuing corporate fraud under existing law. What this shows us is good laws in and of themselves are not enough. We need enforcement. We need a cop on the beat. Any prosecutor can tell you that. That is why I joined my colleague, Senator CANTWELL, in calling on the President to establish a new division of the Corporate Fraud Task Force specifically to apply to energy markets. This new Oil and Gas Market Fraud Task Force would allow us to focus combined efforts of the Department of Justice, FTC, SEC, and the Federal Energy Regulatory Commission.

In conclusion, the cost of energy is hurting Americans from all walks of life and businesses. I don't think we need one silver bullet. As we say in my State, we need a silver buckshot. We need a bold energy policy, first of all, in the short term, that focuses on temporarily suspending deliveries of oil into the Strategic Petroleum Reserve, that pressures OPEC nations to increase oil production, that closes the Enron loophole to eliminate that speculation, and to establish the DOJ Oil and Gas Market Fraud Task Force.

Then we need for the long term—Mr. President, you know this well we need to increase vehicle fuel efficiency, make a national commitment to generate electricity from renewables and invest in research in cutting-edge technologies for alternative fuel vehicles and renewable energy sources. This is what we need to do.

The time is now for Congress to take strong steps toward creating that bold energy policy. Americans are depending on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank Senator KLOBUCHAR for her comments. I agree with so much of what she had to say. When you go out and talk to real people and see the impact on their lives of these huge prices, you begin to analyze where we are.

Ms. KLOBUCHAR. Mr. President, I ask the Senator if he will withhold. I think the plan is that I am to end the session and he is to speak.

Mr. SESSIONS. That sounds fine to me. I did not hear that. I yield the floor, before I complete bragging on the Senator's comments.

Ms. KLOBUCHAR. Mr. President, I thank my colleague for his kind words.

MORNING BUSINESS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to 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.

50TH ANNIVERSARY OF THE UNIVERSITY OF NEVADA, LAS VEGAS

Mr. REID. Mr. President, this year marks the 50th anniversary of the University of Nevada, Las Vegas, UNLV. In 1957, UNLV was born as an extension of the University of Nevada, Reno, to accommodate the rapidly growing population of Las Vegas.

The first classes were held in the dressing rooms of Las Vegas High

School's auditorium. There were only 28 students. When the Nevada Board of Regents founded the Southern Nevada Division of the University of Nevada, students led the charge to become their own independent institution. They adopted the Rebel as their mascot to signify their desire to break free of the Reno campus. With pressure from students and the Las Vegas community, an 80-acre parcel along a two-lane dirt road was selected as the location for the campus. On September 10, 1957, the first classes were held on the new campus. And in 1968, UNLV began its journey as an independent institution.

Over the past 50 years, Las Vegas has grown and become the entertainment capital of the world, and just like the city that it calls home, UNLV, too, has had its fair share of celebrity. In 1964 Elvis Presley and Ann-Margret danced in the gym in the famous scene from the film ''Viva Las Vegas''. Frank Sinatra and Wayne Newton served on the UNLV Foundation's board in the 1980s and Anthony Zuiker, the creator and producer of the hit show ''CSI'', is an alumni.

Today, UNLV is a thriving urban research institution with more than 28,000 students and more than 220 undergraduate, master's, and doctoral degree programs. The campus—now 350 acres—boasts over 100 buildings with state-of-the-art technology and research facilities. Two of the most recent additions have been a new student union and a student recreation and wellness facility all paid for by the students. In 1998, UNLV opened the Boyd School of Law, which quickly gained accreditation from the American Bar Association and is now nationally ranked for its quality legal education. This year, UNLV also welcomed its eighth president, David Ashley.

Many outside of Nevada know of UNLV for its athletic teams. The Rebels participate in 17 intercollegiate sports. In 1990, the Runnin' Rebels won the NCAA Men's Division I tournament, beating Duke 103 to 73, the largest margin of victory ever in the championship game. While the Runnin' Rebels have continued to be a perennial player in the NCAA tournament, in recent years, UNLV athletics have also achieved success in golf, swimming and diving, boxing, track and field, and soccer.

In its first 50 years, UNLV has grown from a satellite outpost of higher learning to a major player in the fields of gaming and hotel management, environmental and experimental science, engineering, English, and law. UNLV has blossomed with the city around it, and as UNLV enters its next 50 years, I am confident that it will continue to prosper and strengthen the city it calls home.

TRIBUTE TO EDWARD M. SMITH

Mr. DURBIN. Mr. President, I rise today to honor my good friend Edward M. Smith, a man for whom I have great respect and admiration.

Ed has been involved in the labor movement in Illinois for more than 40 years. He is deeply committed to the working families of America.

As a leader in the Laborers' International Union, Ed has worked to ensure workers earn a living wage, good benefits and the opportunity to advance and better their lives.

He is stepping down as Midwest Regional Manager of the Laborers' International Union of North America, Vice President of Laborers' International and Assistant to the General President, to become President of the Union Labor Life Insurance Company, labor's own insurance and financial services company.

For those who may not be familiar with the Laborers, they are the men and women who do the hard, dangerous work of building our country.

Ed literally grew up in the labor movement. He was only 13 when he joined Laborers' Local 773 in Cairo, IL. He worked his way through school as a construction craft laborer.

He was elected business manager of his local union in 1976 at the young age of 21. A decade later, he was elected president of the Southern Illinois Laborers' District Council.

In 1994, Ed was elected Midwest Regional Manager of the Laborers' International, leading more than 50,000 union members. Two years later, he was elected Vice President of the Laborers' International Union and became Assistant to the General President of the Union.

Laborers' International Union is one of the fastest-growing unions of construction workers and Ed oversaw over 30 successful organizing campaigns, mainly in the public sector.

Ed was the first member of the Laborers' International Union to graduate from the National Labor College with a bachelors degree. Ed also graduated from the Harvard University Trade program and from Shawnee College. In 1992, he received Shawnee College's first outstanding alumni award.

As Ed fought for Illinois' working families, he raised his own family with his wife Betty. He has two children, daughter Jordan and son Matt.

Ed also devotes a great deal of his life to charitable organizations. He has been a major benefactor to the Therapy Center in Carterville, IL, an organization that assists physically disabled children. He also serves as a board member of the I Can Read Program, for children with reading and learning disabilities.

In addition to his many union roles, Ed is well respected for his leadership with the Illinois State Board of Investment, the Illinois Department of Labor Advisory Board, and the National Alliance for Fair Contracting.

Ed Smith is a big man with a big heart. It says something about him that he has risen to such prominence in the American labor movement without ever leaving his hometown of Cairo, IL and without ever losing touch with his Midwestern roots and values. While he has remained in southern Illinois, the effects of his work can be seen and felt throughout our Nation.

As my friend Ed Smith begins the next chapter in his life, I want to congratulate him on his retirement from Laborers' International Union and thank him for over 40 years of dedication to working men and women. I wish him the best in his new role as president of Union Labor Life Insurance Company as he continues to protect the working families of America.

REMARKS OF RUPERT MURDOCK

Mr. STEVENS. Mr. President, last Monday evening I had the honor of attending a dinner of the Atlantic Council. At that dinner several distinguished individuals were honored: former British Prime Minister Tony Blair, News Corporation chairman and CEO Rupert Murdoch, and Admiral Michael Mullen, Chairman of the Joint Chiefs of Staff for Distinguished International, Business and Military Leadership respectively.

During the evening, there was much discussion about the health of the transatlantic relationship. I was impressed with Rupert Murdock's comments as to how the alliance must change to meet future threats. He went on to say ''We must face up to a painful truth: Europe no longer has either the political will or social culture to support military engagements in defense of itself and its allies. However strong NATO may be on paper, this fact makes NATO weak in practice. And it means that reform will not come from within.

Those who want a reformed NATO must look to the outside. In other words, we need to transform this Alliance from a community formed around a map to a community based on common values and a willingness to take joint action in defense of these values.

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I ask unanimous consent to have Mr. Murdock's entire remarks printed in the CONGRESSIONAL RECORD.

MR. RUPERT MURDOCH'S PREPARED REMARKS FOR THE ATLANTIC COUNCIL'S 2008 ANNUAL AWARDS DINNER

Good evening. Thank you, Henry, for that kind introduction. Your words remind me of the definition of a diplomat: A man who always remembers his wife's birthday—but never remembers her age.

I also want to thank the Atlantic Council for this fine award. By honoring me, you honor the work that News Corporation's 61,000 employees are doing to connect people across oceans, borders, and cultures. And you underscore the importance of a strong private sector for a free society.

Few organizations have done more for the preservation of our freedom than this Council. Tonight I want to commend Fred Kempe

. . . General Jim Jones . . . the Council Board . . . and all the Council members for the important work you are doing. This Council was founded in the years following World War II. Statesmen on both sides of the Atlantic recognized that the defense of freedom would require the active engagement of a new generation of leaders. By working to keep that Alliance strong, you have helped the West prevail against Soviet communism—and ensure the advance of democracy from the Atlantic to the Urals.

Today we can be tempted to bask in our achievements—and wax nostalgic about all we have been through.

But this is no time for nostalgia. At this moment in our history, the Alliance that has been built up over decades now finds itself threatened on several fronts:

First, by the growing appeal of protectionism on both sides of the Atlantic . . .

Second, by the terrorists who target civilians in all our countries . . . and finally, by the crisis of confidence in a Europe that is losing its faith in the values and institutions that have kept us free.

We see this crisis of confidence in many areas. Yet nowhere is it more apparent than in the failure of nerve we are seeing in Afghanistan. After the attacks of September the 11th, 2001, it was clear that America and its allies needed to deprive al Qaeda of its safe haven. It was clear that we needed to help the Afghan people replace the Taliban with a free government that would build a more hopeful future for its citizens.

Unfortunately, far from reflecting our unity, Nato's entry into Afghanistan has exposed its divisions. Instead of standing together as full and equal partners, a handful of Alliance members are bearing the brunt of the fighting. Defense Secretary Robert Gates has said that the lack of equal burden sharing threatens the future of the Alliance. And he is right.

We must face up to a painful truth: Europe no longer has either the political will or social culture to support military engagements in defense of itself and its allies. However strong NATO may be on paper, this fact makes NATO weak in practice. And it means that reform will not come from within.

Those who want a reformed NATO must look to the outside. In other words, we need to transform this Alliance from a community formed around a map to a community based on common values and a willingness to take joint action in defense of these values.

In short, a strong and successful Atlantic Alliance will have to ground itself more on shared principles rather than accident of geography. And we need to show we are serious about defending those principles by standing with those who are standing up for them.

NATO's agreement to invite Albania and Croatia to become members is a welcome start. So is the somewhat weaker commitment that Ukraine and Georgia will become members of NATO at some point in the future.

But we need to go much further. As a rule, when an organization expands, the expansion dilutes its principles. For today's NATO, it is just the opposite. Expansion is the only hope of invigorating an Alliance weighed down by those who are no longer willing to commit themselves to defend its founding principles.

Around the world, there is no shortage of nations who share our values, and are willing to defend them. I am thinking of countries like Australia, which sent troops to Iraq . . . Israel, which has been fighting Islamic terrorism almost since its founding . . . and Japan, which generally follows a more ''Western'' policy than most of Western Europe.

Other countries have not reached the level of development these countries enjoy. But some are working hard to get there, and would be strong partners down the road. At the very least, the United States needs to support them as they struggle against the dark forces trying to pull them down.

Right now the United States has a test in our own backyard. Colombia is a nation that is fighting poverty, battling the drug lords, and taking on terrorists backed by foreign governments. Its citizens have suffered tremendously from violence, and who want peace and opportunity. And it is being led by a brave and innovative President, who is bringing the rule of law to people who have not known it.

What does this brave President ask of us? He asks that we ratify the trade agreement we have negotiated with his nation.

By ratifying this agreement, we would open an important market for American goods. We would demonstrate to millions in our hemisphere that the path to prosperity lies in freedom and democracy. And we would give strong moral support to a leader struggling to bring hope and opportunity to his people in an important part of the world.

Everyone knows this. Even the New York Times says the Democratic Congress should ratify this trade deal. Instead, Speaker Pelosi has effectively put off the bill by not scheduling a vote. We need to make clear to the leadership in Congress needs to know what killing this trade deal would mean.

Throughout Colombia, a defeat for the trade deal would be confirmation that the United States is not an ally you could count on.

Throughout Latin America, a defeat for the trade deal would be exploited by thugs like Hugo Chavez, who would tell the people, ''See, the Americans will never accept you as equals and partners.''

And throughout the world, a defeat for the trade deal would be taken as another sign that the U.S. will not stand by its friends when the going gets tough.

The Mexican ambassador to the United States puts it this way: ''The most important geopolitical mistake the United States could do today . . . is not ratifying that treaty.''

The world is watching. The same values that we are trying to uphold in the Atlantic Alliance are at stake now in Colombia. And if we fail to support them in Colombia, it will be harder to revive them in the Alliance.

Let me conclude with a little story. I was born in Australia . . . I received my university education in Britain . . . and I have made my home in America. Over a long and I hope productive life, I have learned that shared values are more important than shared borders.

If we continue to define ''the West'' or ''the Alliance'' as a strictly geographical concept, the Alliance will continue to erode. But if we define the West as a community of values, institutions, and a willingness to act jointly, we will revive an important bastion of freedom—and make it as pivotal in our own century as it was in the last.

Thank you for having me. And thank you again for this fine award.

VETERANS BENEFITS ENHANCEMENT ACT OF 2007

Mr. AKAKA. Mr. President, I am pleased that S. 1315, as reported by the Veterans' Affairs Committee, the proposed Veterans Benefits Enhancement Act of 2007, finally passed in the Senate. This comprehensive legislation would improve benefits and services for veterans both young and old.

The Veterans' Affairs Committee reported S. 1315 to the full Senate in August of last year. At that time, my belief was that debate and consideration of this legislation by the full Senate, would take place during September. That did not happen. As I described in detail yesterday, further action on the bill has been blocked because of opposition from the other side of the aisle to certain benefits for Filipinos who fought under U.S. command during World War II.

I will first describe some of the provisions in the bill and then will discuss in more detail my views on the provisions relating to Filipino veterans.

This legislation, as reported by the committee, would make several important improvements in insurance programs for disabled veterans. It would establish a new program of insurance for service-connected disabled veterans that would provide up to a maximum of $50,000 in level premium term life insurance coverage.

This legislation would also expand eligibility for retroactive benefits from traumatic injury protection coverage under the Servicemembers' Group Life Insurance program. This insurance program went into effect on December 1, 2005. All insured servicemembers under SGLI from that point forward are covered by traumatic injury protection regardless of where their injuries occur. However, individuals sustaining traumatic injuries between October 7, 2001 and November 30, 2005, that were not incurred as a direct result of Operations Enduring or Iraqi Freedom, are not eligible for a retroactive payment under the traumatic injury protection program. This legislation would expand eligibility to these individuals.

This legislation would also increase the maximum amount of Veterans' Mortgage Life Insurance so that a service-connected disabled veteran may purchase from the current maximum of $90,000 to $200,000. In the event of the veteran's death, the veteran's family is protected because VA will pay the balance of the mortgage owed up to the maximum amount of insurance purchased. The need for this increase is obvious in today's housing market.

In addition, S. 1315, as reported, would also increase the amount of supplemental life insurance available to totally disabled veterans from $20,000 to $30,000. Many totally disabled veterans find it difficult to obtain commercial life insurance. These are the veterans we are trying to help with this legislation by providing them with a reasonable amount of life insurance coverage.

S. 1315, as reported, would also make small but necessary changes in existing laws relating to education and employment. First, it would restore the funding cap on the amount of support available to State Approving Agencies to the fiscal year 2007 level of $19 million. Without this restoration, these entities that assist VA in approving programs of education would be facing a reduction of more than 30 percent beginning in this fiscal year. It is particularly

important as more veterans return to civilian life and begin to use their educational benefits that SAAs have adequate resources.

Second, the pending legislation would update the Special Unemployment Study required to be submitted by the Secretary of Labor to the Congress by mandating that it cover veterans of post-9/11 global operations. It would also require the report to be submitted on an annual, rather than a biennial, basis. By updating this report, Congress will have more data available on more recent groups of veterans—those who served and are serving in the gulf war and post-9/11 global operations. This will help with assessments of the needs of current veterans entering the work force and develop appropriate responses.

Third, the bill would extend for 2 years a temporary increase in the monthly educational assistance allowance for apprenticeship or other on-the-job training. The current temporary increase expired on January 1, 2008, and this provision would benefit the 34,000 veterans who are suffering through the first benefit rate reduction in the history of the G.I. bill. Allowing the temporary increase to be eliminated would mean a monthly benefit rate cut for veterans enrolled in this type of training and would remove marketable incentive to encourage individuals to accept trainee positions they might not otherwise consider.

S. 1315, as reported, would also improve a variety of housing benefits for servicemembers and veterans. I note that title II of this legislation was recently passed as part of H.R. 3221, the housing reform bill. It is my intent to include these provisions in S. 1315 until they have become law through another vehicle.

This legislation would also amend the Servicemembers Civil Relief Act to help servicemembers get relief from cell phone contracts when deployed overseas. Servicemembers, with all of their responsibilities abroad, should not have to worry about being released from cell phone contracts.

Finally, this legislation gives Congress an opportunity to rectify a wrong done to Filipino World War II veterans over 60 years ago. In the years since the end of the Second World War, Filipino veterans and their advocates, especially my distinguished colleague, the senior Senator from Hawaii, have worked tirelessly to secure these veterans the status they were promised when they agreed to fight under U.S. command in defense of their homeland and to protect U.S. interests in the region. Today, I am proud to say, many Filipino veterans enjoy eligibility for benefits and health care services as U.S. veterans. However, there remains a distinction in law between certain groups of Filipino veterans. I hope that Congress will take another step toward removing that unjust distinction. This Nation has a moral obligation to care for those who have served under its flag.

Although I view veterans' benefits as a continuing cost of war and should be funded as such, the provisions in S. 1315 would be paid for by an offset that restores the original intent of Congress, which was wrongly interpreted in a recent court decision, to provide certain VA benefits on the basis of disability and not age. Some of the opposition to S. 1315 has centered on a misunderstanding of this provision. Aged veterans who are seriously disabled would not be deprived of special benefits, but would continue to be eligible for them under the same conditions as applied to younger veterans.

This is not a comprehensive recitation of all the provisions within this important veterans' legislation. However, I hope that I have provided an appropriate overview of the benefits this legislation would provide for America's veterans and servicemembers.

The sole point of controversy in S. 1315 is a pension benefit for Filipino veterans who served under U.S. command during World War II and who live in the Philippines. I wish to give my colleagues my perspective on why this benefit should be paid.

The United States has had a relationship with the Philippines since 1898, when it was acquired as a result of the Spanish American War. In 1934, Congress passed the Philippine Independence Act, which set a 10-year timetable for the independence of the Philippines. In the interim, the U.S. established a Commonwealth of the Philippines vested with certain powers over its own internal affairs. The granting of full independence was delayed until 1946 because of the Japanese occupation of the Philippines from 1942 to 1945.

On July 26, 1941, President Franklin D. Roosevelt issued an Executive Order ordering all military forces of the Commonwealth of the Philippines into the service of the Armed Forces of the United States under the command of a newly created command structure called the United States Armed Forces of the Far East. According to orders from General MacArthur, Philippine units once mustered into U.S. service would be paid and supplied from American sources.

The unique relationship between the Philippines and the United States made the Philippine islands particularly susceptible to Japanese aggression during the war. Historians agree that the Japanese strategy was based upon a plan to destroy or neutralize the U.S. Pacific Fleet at Pearl Harbor, and to deprive the United States of its base in the Philippines. Were it not for the U.S. presence, the Philippines would not have presented the Japanese with a strategic threat and turned into a battlefield.

The Philippine forces under U.S. command suffered heavy casualties as a result of the Japanese invasion. It is estimated that 10,000 Filipinos died during the Bataan Death March, along with 3,000 U.S. soldiers. The Philippines throughout the war suffered great loss of life and tremendous physical damage. By the end of the war, the capital city of Manila was in ruins and up to 1 million Filipinos had been killed.

All of the military forces of the Commonwealth of the Philippines remained under the command of the U.S. Armed Forces of the Far East throughout World War II, and until the Philippines was granted independence on July 4, 1946.

In October 1945, Gen. Omar Bradley, then Director of the Veterans' Administration, affirmed that all Filipinos who served under U.S. command were entitled to all benefits under laws administered by that agency.

However, in 1946, the U.S. Congress, through the Rescission Acts of 1946, withdrew veterans' status from certain Filipino veterans of World War II.

Upon passage of the Rescission Acts, President Harry Truman expressed his disapproval of the withdrawal of benefits from Filipino veterans. He stated, ''There can be no question, but that the Philippine veteran is entitled to benefits bearing a reasonable relation to those received by the American veteran, with whom he fought side by side.''

Our Nation has a long history of caring for aging veterans, particularly those who served the country during a time of war.

The sole purpose of the VA pension program is to assist older, low-income, war-time veterans, so that those who experienced the horror of war are not forgotten in their old age.

Philippine veterans of the Second World War are now in their twilight years and many are struggling to make ends meet, especially with global food prices on the rise. Now, perhaps more than ever, the modest pension benefits that are in S. 1315 are of the greatest value to veterans who earned them on the battlefield so many years ago.

The action by Congress in 1946 to strip Filipino veterans who served under the American Flag during World War II of the recognition and benefits that were their due was a grave injustice. It is especially regrettable that this injustice has existed for so many years. The inaction of prior Congresses to correct this wrong does not excuse us from the responsibility to take remedial action now.

The United States has a moral obligation to care for Filipino veterans who served under U.S. command in World War II and we must not fail in fulfilling that obligation.

I would like to speak briefly about the purpose of pension benefits and more specifically about the pension benefit in the pending bill. Veterans pension benefits are provided to allow wartime veterans to live in dignity and meet their basic needs.

The amounts proposed in this legislation would permit Filipino veterans, who have been denied their rightful status as United States veterans for too long, to finally live in dignity.

Unlike other World War II veterans, these veterans have been denied pension benefits for over 60 years. It is also important to note that these benefits are not retroactive.

The amounts proposed are sufficient to give aged Filipino veterans a payment that would allow them to meet their basic needs for adequate nutrition and medicine.

The flat rate benefit also takes into account the likelihood that many of these aged veterans, if living in the United States, would qualify for additional benefits based on disability due to their status as being housebound or in need of aid and attendance. No additional benefits for housebound status or aid and attendance are provided.

The pension proposed for Filipino veterans is less than one-third of the basic amount provided to veterans living in the United States, in recognition of the lower cost of living in the Philippines. Measured against the aid and attendance standard, the proposed benefit is about one-sixth of the amount provided to veterans in the United States.

The cost of items, such as food and medicine in Manila are about half of the cost in the United States, while the cost of housing is considerably less expensive.

For example, a bottle of 100 aspirin tablets costs about $4 in Manila, about twice as much in the United States.

Because the income and asset verification procedures used in the United States are not available in the Philippines, and it is not feasible to develop an administratively efficient system in the Philippines to monitor the income and assets of pension recipients, the bill provides a flat benefit amount substantially lower than that paid in the United States.

I believe firmly that the proposed amount is a reasonable benefit taking into account all of these factors.

The people of the Philippines did not shy from the call to fight during World War II. They were true brothers in arms who fought valiantly under U.S. command in the global struggle against totalitarianism. This bill at long last recognizes the valor of all Filipino veterans in sacrifice to this noble cause and loyalty to their American commanders.

The proposal put forward by the ranking member fails to honor these veterans by denying pension benefits to those who live in the Philippines. I understand that there may be different perspectives on what pension amounts would be appropriate given the difference in the cost-of-living between this country and the Philippines. I am not, however, willing to yield on the principle that Filipino veterans living in the Philippines deserve to receive veterans benefits in the same manner as those living in the U.S. or anywhere else. I reject the notion that two veterans, who fought side-by-side and endured the same hardships of war, should be treated unequally based solely on their place of residence.

The soldier's creed is to leave no fellow warrior behind. I believe in that, and believe that it is important to acknowledge the valiant service of those Filipino veterans of World War II who served under U.S. command.

I would like to end my comments tonight by again sharing the thoughts of the 33rd President of the United States—Harry S. Truman. In 1946, President Truman made a statement concerning provisions in a bill affecting Philippine Army veterans—At issue was a legislative rider attached to the transfer of $200 million for the pay of the Army of the Philippines.

President Truman said, ''The effect of this rider is to bar Philippine Army veterans from all the benefits under the G.I. Bill of Rights with the exception of disability and death benefits which are made payable on the basis of one peso for every dollar of eligible benefits. I realize, however, that certain practical difficulties exist in applying the G.I. Bill of Rights to the Philippines.''

President Truman went on to state, ''the passage and approval of this legislation does not release the United States from its moral obligation to provide for the heroic Philippine veterans who sacrificed so much for the common cause during the war . . . I consider it a moral obligation of the United States to look after the welfare of the Philippine Army veterans.''

I agree with the words of President Truman from 60 years ago.

As I have said time and time again, this legislation would correct an injustice that has existed for over 60 years. I, like President Truman, believe that it is the obligation of the United States to care for those who have fought under the U.S. flag.

It is past time to right that wrong. As my fellow World War II veteran, the Senior Senator from Alaska said yesterday, this is about ''honor.'' I believe it is the moral obligation of this Nation to provide for those who served under the U.S. flag and alongside U.S. troops during World War II.

I thank my colleagues for standing with me, my World War II colleagues Senators INOUYE and STEVENS, and a majority of the Veterans' Affairs Committee, and not accepting the amendment of the Senator from North Carolina.

SHAWN BENTLEY ORPHAN WORKS ACT OF 2008

Mr. HATCH. Mr. President, I rise today to express my support for The Shawn Bentley Orphan Works Act of 2008, S. 2913, introduced at the close of last week by Senate Judiciary Committee Chairman PATRICK LEAHY and myself. This piece of legislation is a product of years of hard work and collaboration.

I want to start off by thanking Chairman LEAHY for his willingness to name this bill in honor of my long-time staffer and former colleague, Shawn Bentley, whose untimely death, at 41, greatly saddened many in this body.

Shawn worked for the Judiciary Committee for a decade, from 1993–2003. Starting as my counsel, he rose through the ranks, ending his Senate tenure as the majority's Chief Intellectual Property Counsel and Deputy Chief Counsel to the committee. He worked on many important pieces of landmark intellectual property legislation, and he initiated what we have now introduced as an orphan works bill.

Thousands of artistic creations around the country are effectively locked away in a proverbial attic and unavailable for the general public to enjoy because the owner of the copyright for the work is unknown. These are generally referred to as ''orphan works.'' It is not always easy to identify an owner of a copyrighted work, and in many cases, information about the copyright holder is not publicly known. To make matters worse, many are discouraged from using these so-called ''orphan works'' for fear of being sued should the owner eventually step forward.

In an effort make orphan works more accessible, Chairman LEAHY and I have been working together for years to craft meaningful legislation to address concerns that have been identified through public discussions on this issue. The Senate Judiciary Committee Subcommittee on Intellectual Property held a hearing entitled ''Orphan Works: Proposals for a Legislative Solution,'' at which representatives from the photography, museum, documentary film, and technology communities testified. And a subcommittee of the House Judiciary Committee held two hearings in the 109th Congress and one in the 110th.

Under S. 2913, potential users may use an orphan work if they conduct and document a diligent search but were unable to locate the copyright owner of the work for permission. While the bill outlines the criteria for a search, and the copyright office will disclose best practices for finding a copyright owner, the court makes the final determination as to whether a search is diligent and in good faith.

The proposed legislation also has a ''safe harbor'' for uses of orphan works that are educational, charitable, or religious in nature, and which are used without commercial advantage. We anticipate that many institutions such as museums, libraries, archives, nonprofit educational organizations, as well as public broadcasting entities will greatly benefit from this legislation since they would be qualified users.

S. 2913 represents a commitment from Congress to move forward in creating a way to identify copyright owners of orphan works and unlock access to thousands of artistic works so the general public may once again enjoy them. I am hopeful that further refinements will be made to this bill during the legislative process. I am confident

that Chairman LEAHY and I will continue to, with outside input, perfect this bill, and am confident in our House counterparts to do the same.

I am committed to moving this legislation forward and hope that we can join efforts to refine and enact this bill.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

COMMEMORATION OF THE ARMENIAN GENOCIDE

• Mr. OBAMA. Mr. President, last week, we paused in remembrance of the Armenian genocide, which was carried out by the Ottoman Empire from 1915 to 1923. Nearly 2 million Armenians were deported, and approximately 1.5 million of those deported were killed.

It is imperative that we recognize the horrific acts carried out against the Armenian people as genocide and I will continue to stand with the Armenian American community in calling for the Government of Turkey to acknowledge it as such. The occurrence of the Armenian genocide is a widely documented fact supported by an overwhelming collection of historical evidence.

I was deeply disturbed 2 years ago when the U.S. Ambassador to Armenia was fired after he used the term ''genocide'' to describe the mass slaughter of Armenians. I called for Secretary Rice to closely examine what I believe is an untenable position taken by the U.S. Government.

I will continue to push for the acknowledgement of the Armenian genocide, and I offer the Armenian people my condolences.•

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

HONORING OUR ARMED FORCES

• Mr. LAUTENBERG. Mr. President, in honor of American troops who have lost their lives overseas in Iraq and Afghanistan I wish to make sure their service and sacrifice is forever memorialized in the CONGRESSIONAL RECORD.

Since I last included the names of our fallen troops on February 15, the Pentagon has announced the deaths of 101 troops in Iraq and in Operation Enduring Freedom, which includes Afghanistan. They will not be forgotten and today I submit their names into the RECORD:

SSG Shaun J. Whitehead, of Commerce, GA; SSG Ronald C. Blystone, of Springfield, MO; PFC John T. Bishop, of Gaylord, MI; 1stLT Timothy W. Cunningham, of College Station, TX; LCpl Jordan C. Haerter, of Sag Harbor, NY; CPL Jonathan T. Yale, of Burkeville, VA; SGT Guadalupe Cervantes Ramirez, of Fort Irwin, CA; 1stLT Matthew R. Vandergrift, of Littleton, CO; PVT Ronald R. Harrison, of Morris Plains, NJ; SPC Steven J. Christofferson, of Cudahy, WI; SGT Adam J. Kohlhaas, of Perryville, MO; PO1 Cherie L. Morton, of Bakersfield, CA; AA Adrian M. Campos, of El Paso, TX; CPL Benjamin K. Brosh, of Colorado Springs, CO; SPC Lance O. Eakes, of Apex, NC; SSGT Jason L. Brown, of Magnolia, TX; 1stSGT Luke J. Mercardante, of Athens, GA; CPL Kyle W. Wilks, of Rogers, AR; SPC Arturo Huerta-Cruz, of Clearwater, FL; SGT Joseph A. Richard III, of Lafayette, LA; CPL Richard J. Nelson, of Racine, WI; LCpl Dean D. Opicka, of Waukesha, WI; SGT William E. Allmon, of Ardmore, OK; SPC Jacob J. Fairbanks, of Saint Paul, MN; SGT Jesse A. Ault, of Dublin, VA; SGT Shaun P. Tousha, of Hull, TX; TSgt Anthony L. Capra, of Hanford, CA; SPC Jeremiah C. Hughes, of Jacksonville, FL; SSG Jeffery L. Hartley, of Hempstead, TX; MAJ Mark E. Rosenberg, of Miami Lakes, FL; SGT Timothy M. Smith, of South Lake Tahoe, CA; SPC Jason C. Kazarick, of Oakmont, PA; SGT Michael T. Lilly, of Boise, ID; SSG Jeremiah E. McNeal, of Norfolk, VA; SGT Richard A. Vaughn, of San Diego, CA; COL Stephen K. Scott, of New Market, AL; MAJ Stuart A. Wolfer, of Coral Springs, FL; SSG Emanuel Pickett, of Teachey, NC; CAPT Ulises Burgos-Cruz, of Puerto Rico; SPC Matthew T. Morris, of Cedar Park, TX; PFC Shane D. Penley, of Sauk Village, IL; SGT Nicholas A. Robertson, of Old Town, ME; SPC Charles A. Jankowski, of Panama City, FL; SSGT Travis L. Griffin, of Dover, DE; SGT Dayne D. Dhanoolal, of Brooklyn, NY; SGT Jevon K. Jordan, of Norfolk, VA; MAJ William G. Hall, of Seattle, WA; SPC Durrell L. Bennett, of Spanaway, WA; PFC Patrick J. Miller, of New Port Richey, FL; SGT Terrell W. Gilmore, of Baton Rouge, LA; CPL Steven I. Candelo, of Houston, TX; CPL Joshua A. Molina, of Houston, TX; SPC Gregory B. Rundell, of Ramsey, MN; SSG Joseph D. Gamboa, of Yigo, Guam; PVT George Delgado, of Palmdale, CA; SSG Christopher M. Hake, of Enid, OK; PFC Andrew J. Habsieger, of Festus, MO; CPL Jose A. Rubio Hernandez, of Mission, TX; LCpl Dustin L. Canham, of Lake Stevens, WA; SSG William R. Neil Jr., of Holmdel, NJ; SGT Thomas C. Ray, II, of Weaverville, NC; SGT David S. Stelmat, of Littleton, NH; SGT David B. Williams, of Tarboro, NC; PFC Antione V. Robinson, of Detroit, MI; PFC Tyler J. Smith, of Bethel, ME; TSgt William H. Jefferson, Jr., of Norfolk, VA; SGT Gregory D. Unruh, of Dickinson, TX; SSG Michael D. Elledge, of Brownsburg, IN; SGT Christopher C. Simpson, of Hampton, VA; SPC Lerando J. Brown, of Gulfport, MS; CPL William D. O'Brien, of Rice, TX; SFC Collin J. Bowen, of Millersville, MD; SFC Shawn M. Suzch, of Hilltown, PA; SSG Ernesto G. Cimarrusti, of Douglas, AZ; SSG David D. Julian, of Evanston, WY; CPL Robert T. McDavid, of Starkville, MS; CPL Scott A. McIntosh, of Houston, TX; SSG Juantrea T. Bradley, of Greenville, NC; SPC Dustin C. Jackson, of Arlington, TX; PFC Tenzin L. Samten, of Prescott, AZ; SSG Laurent J. West, of Raleigh, NC; SGT Phillip R. Anderson, of Everett, WA; SPC Donald A. Burkett, of Comanche, TX; CAPT Torre R. Mallard, of OK; CPL Jose A. Paniagua-Morales, of Bell Gardens, CA; SGT Gabriel Guzman, of Hornbrook, CA; SPC Steven R. Koch, of Milltown, NJ; SGT Robert T. Rapp, of Sonora, CA; SSGT Christopher S. Frost, of Waukesha, WI; SPC Orlando A. Perez, of Houston, TX; SPC Micheal E. Phillips, of Ardmore, OK; CPL Kevin S. Mowl, of Pittsford, NY; LCpl Drew W. Weaver, of St. Charles, MO; SPC Keisha M. Morgan, of Washington, DC; CAPT Nathan R. Raudenbush, of PA; SGT Conrad Alvarez, of Big Spring, TX; CPL Albert Bitton, of Chicago, IL; SPC Micheal B. Matlock, Jr., of Glen Burnie, MD; SSG Bryant W. Mackey, of Eureka, KS; CPL Chad D. Groepper, of Kingsley, IA; CPL Luke S. Runyan, of Spring Grove, PA.

We cannot forget these men and women and their sacrifice. These brave souls left behind parents and children, siblings and friends. We want them to know the country pledges to preserve the memory of our lost soldiers who gave their lives for our country.•

ADDITIONAL STATEMENTS

CONGRATULATING KEVIN WEBB

• Mr. BUNNING. Mr. President, I wish to congratulate Mr. Kevin Webb of Glasgow, KY. Mr. Webb was recently chosen to be one of eight speakers at the first ever Ticket to Work Partners Summit held in Louisville, KY.

In March 2008 the Social Security Administration launched the Ticket to Work Partners Summit to bring together over 400 of Social Security's partners who actively engage Social Security disability beneficiaries in work through the Ticket to Work Program. Mr. WEBB was chosen to be one of eight speakers nationally to discuss how they have benefited from this program.

With the help of the Social Security Administration, Mr. Webb was able to start his own business in April 2006. Today he is a proud co-owner with his father, Ron Taylor, of Webb/Taylor Horseback Riding and Boarding.

Prior to becoming a successful business owner, Mr. Webb was faced with a number of difficult challenges in finding employment. Despite all of the setbacks and obstacles he had to overcome, Mr. Webb never gave up on his dreams and continued to search for a job that made him happy.

Mr. Webb applied for a grant given to five individuals each year by the Kentucky Council on Developmental Disabilities and the State vocation rehabilitation for startup funds for new businesses. With the grant and a fully funded Plan for Achieving Self Support from the Social Security Administration, Mr. Webb and his father were able to launch the Webb/Taylor Horseback Riding and Boarding.

Besides starting his own business, Mr. Webb has also worked with elected officials in the Kentucky State Legislature on behalf of individuals with disabilities. In 2003, the Kentucky State Legislature passed the Kevin Webb and Kim Brown Self-Determination Act to require the Commission on Services and Supports for Individuals with Mental Retardation and Other Developmental Disabilities to make recommendations to the Department of Medicaid Services for the implementation of a self-determination model for individuals who are receiving services through the Supports for Community Living waiver program.

I would like to congratulate Mr. Webb for his hard work and dedication as he celebrates the two year anniversary of opening Webb/Taylor Horseback Riding and Boarding. Mr. Webb is truly an inspiration to all Kentuckians and I wish him the best of luck in his future endeavors.●

2009 SPECIAL OLYMPICS

● Mr. BUNNING. Mr. President, today I wish to congratulate Ms. Kelly McCormick and Ms. Jeannie Luersen on their selection to participate in the 2009 Special Olympics World Winter Games, to be held February 6 to 13, in Boise, ID. Over 3,000 athletes from 85 countries will compete in 7 sports: Alpine skiing, cross-country skiing, figure skating, floor hockey, snowboarding, snowshoeing and speed skating.

Ms. Kelly McCormick has been a Special Olympics athlete for 17 years. She serves as a global messenger, speaking on behalf of the program at many public events. Ms. McCormick will compete in the Alpine Skiing event. This will be her first time participating in the world games.

Ms. Jeannie Luersen has participated in the Special Olympics program for 25 years. This will be her second straight year at the World Games. Having won a Gold Medal in figure skating at the 2005 Winter Games in Nagano, Japan, Ms. Luersen will compete again in the figure skating event.

Special Olympics is celebrating its 40th anniversary this year as an international, nonprofit organization dedicated to empowering individuals with intellectual disabilities to become physically fit, productive, and respected members of society through sports training and competition. Ms. McCormick and Ms. Luersen represent Special Olympics Kentucky, which is celebrating its 36th year.

I congratulate Ms. McCormick and Ms. Luersen on their achievements. They are an inspiration to the citizens of Kentucky and to athletes everywhere. I look forward to seeing all that they will accomplish in the future.●

COMMEMORATING LINTHICUM HEIGHTS

● Mr. CARDIN. Mr. President, I wish to congratulate Linthicum Heights, MD, on its 100th anniversary.

Linthicum Heights is a suburb of Baltimore that is also located near Annapolis and Washington, DC. Close to rail lines and good roads, Linthicum offers location without sacrificing its suburban character and historic property.

Linthicum is on the National Register of Historic Places. The community was farmland until 1908, when the decendents of Abner Linthicum decided to sell the farm land for houses. They created the Linthicum Heights Realty Company and named their development Linthicum Heights. Many of the original homes on the farm property remain. Two of the most famous are Turkey Hill, built in 1822 by William Linthicum, and Twin Oaks, which was home to U.S. Congressman John Charles Linthicum, who represented the Fourth Congressional District of Maryland from 1911 to 1932. U.S. Representative Linthicum was a sponsor of the legislation that named ''The Star Spangled Banner'' as our national anthem.

Today, Linthicum's location and its historic nature remain its charm and attraction. Easy access to Baltimore, Washington, DC, and Annapolis and its close proximity to Baltimore Washington Thurgood Marshall International Airport, Fort George G. Meade, Goddard Space Flight Center, and numerous other Federal facilities make Linthicum a desirable place to live.

The residents of Linthicum Heights as well as the Woman's Club of Linthicum Heights, the Linthicum-Shipley Improvement Association, the North Linthicum Improvement Association, business leaders, and government officials are to be congratulated for their appreciation and steadfast support of Linthicum Heights and its history.

I ask my colleagues to join me today in congratulating Linthicum Heights on its 100th anniversary.●

HONORING DR. EMMETT BUELL

● Mr. LUGAR. Mr. President, I wish to pay tribute to a remarkable professor, scholar, and author, Dr. Emmett Buell of Denison University in Granville, OH. Today, April 28, 2008, Dr. Buell will teach his final class before stepping down as a full-time professor.

Professor Buell received his Ph.D. in political science from Vanderbilt University after earning his undergraduate and M.A. at Louisiana State University. He has taught at Denison since the 1969 to 1970 academic year and has directed the Richard G. Lugar Program in Politics and Public Service since its inception in 1995. This program provides students with opportunities to study various aspects of public policy, combining classroom instruction with the practical application of these studies through an internship experience. As of July 2007, about 110 students in the program will have served as interns in congressional offices. Given his exemplary leadership and record of success, Dr. Buell was subsequently installed as the inaugural holder of the Richard G. Lugar Chair in Public Policy on April 21, 2006.

Dr. Emmett Buell is a nationally recognized expert in the political science field and specifically on Presidential selection and negative campaigning in Presidential elections. He has authored, coauthored, or coedited four books, including ''Attack Politics: Negativity in Presidential Campaigns Since 1960''. Emmett also has authored or coauthored articles and research notes in the American Journal of Political Science, Journal of Politics, American Politics Quarterly, Urban Affairs Quarterly, Social Science Quarterly, and the Journal of Law & Politics. In addition, he has written chapters for books edited by others on such topics as the invisible primary, the New Hampshire primary, the changing role of national party conventions, and news coverage of Presidential aspirants.

Outside of his impressive list of experiences and skills, I know Emmett to be an individual of high integrity and character. He is idealistic, while remaining grounded in the practical. He is serious and thoughtful, while maintaining a sense of humor. He is generous with his time and attention, without losing his focus and personal discipline.

Perhaps most importantly, Dr. Buell has been an inspirational mentor to hundreds of students. His office door has always been open, and he makes every effort to assist, promote, and encourage those who seek guidance. I have heard from many individuals, including those who have worked in my own office, that they would not be in their employment positions today if it were not for his assistance. Likewise, I know that he is immensely proud of these students and their accomplishments.

Dr. Buell is also legendary on the Denison campus for his devotion to personal fitness and mastery of racquetball. He has encouraged numerous student challenges on the racquetball court throughout his career and has almost always been on the victorious side.

Mr. President, I was pleased to join with many of these former students, along with numerous faculty and friends, in celebration of Emmett's career at a retirement ceremony on Saturday, April 19, 2008. I am delighted that this event provided a forum to share our admiration for his years of service and contribution to Denison University.●

TRIBUTE TO INDIANA STATE SENATOR DAVID C. FORD

● Mr. LUGAR. Mr. President, I wish to honor the memory of an outstanding Hoosier, IN, State senator, David C. Ford.

Representing Senate District 19, David Ford served in the Indiana Senate from 1994 until his death from pancreatic cancer on March 5, 2008. His colleagues in the Indiana Senate have lost a dear friend and insightful leader. Public officials across the State will remember him as a tireless advocate for technological innovation. However, the breath of his knowledge extended to education, agriculture, and judiciary policy as well. In short, he was an able and devoted legislator who performed his duties with intelligence, vigor, and integrity.

Prior to being elected to the Indiana Senate, David Ford served as prosecutor in Blackford County, IN. He was also an accomplished pilot, an active member of the American Agriculture Law Association, a board member of Dollars for Scholars, and the recipient of many State and national awards.

I remember many wonderful visits with David over the years. I was always grateful for his wisdom and counsel, and I hope you will join me in paying tribute to State Senator Ford. May his wife Joyce and his many friends and family members continue to find love and comfort in the memory he has left us.●

HONORING THE SENIORS' RESOURCE CENTER

● Mr. SALAZAR. Mr. President, I wish to honor the 30th anniversary of the Seniors' Resource Center, SRC, in Jefferson County, CO. For three decades, the SRC has delivered critical services to the aging and disabled communities in the Denver metropolitan area through a variety of innovative programs. I salute Jon Zabawa, president and CEO of SRC, his staff, and the many volunteers who have made the Center what it is today.

From its inception as an extension of the Jefferson County Retired and Senior Volunteer Program, tasked with providing transportation assistance to the elderly, SRC has consistently received awards and acknowledgements for its terrific services. The National Council on Aging has named SRC one of its five Best Practices Organizations. The National Senior Citizen Education and Research Center has recognized SRC for ''outstanding performance in the Senior Aide Program and in enrollment, budget management, and placement.'' In 2002, SRC was the Colorado Association of Transit Agencies' Mid Transportation System of the Year. In 2004, they were the winners of the Community Transportation Association of America and the Beverly Foundation's ''Search for Innovation in Senior Transportation Award.'' Most recently, the center won the first-ever Non-Profit of the Year Award from the West Chamber of Commerce.

Over the last 30 years, SRC has worked to steadily improve and expand its programs. The organization has grown beyond Jefferson County to 10 other metropolitan counties. Today, more than 100,000 Colorado citizens have access to SRC's services, including adult day and respite services, in-home care, transportation, care management, referrals to community partners, and job training programs.

In the year 2010, there will be more than 770,000 seniors age 60 and over in Colorado, making organizations such as the SRC even more vital to the health of our communities. I am very proud of SRC's work, and I look forward to several more decades of their service to the community.●

WORKER EDUCATION

● Mr. SMITH. Mr. President, today I highlight the importance of acknowledging and celebrating extraordinary efforts by Americans who have led the way in protecting and preserving America's natural resources. I am honored to congratulate three educational institutions in my State of Oregon, Columbia Gorge Community College, Lane Community College and the Oregon Institute of Technology.

Recently, Columbia Gorge Community College received $1.6 million to support the college's community-based job training program to develop skilled technicians for renewable energy facilities such as wind, solar, hydropower and biofuels production. The funding is part of the Department of Labor's Community-Based Job Training Grant Initiative to help community colleges provide area students and workers with the skills needed to stay competitive in up-and-coming industries. The program is the only one of its kind on the west coast. Just in the Pacific Northwest, developers of wind energy facilities will need 300–500 additional workers in the next decade. Since the fall of 2007, Columbia Gorge Community College has offered a 1-year certificate and a 2-year associate of applied science degree in renewable energy technology.

Lane Community College in Eugene, OR, was recently commended for their certificate and 2-year degree programs which train students in energy management and renewable energy. Graduates of the program are in high demand by renewable energy companies. Lane Community College is quickly gaining recognition as a national leader in sustainability and has won five awards in the past 2 years, including the Campus Sustainability Leadership Award from the Association for the Advancement of Sustainability in Higher Education, and the Outstanding College Recycling Program Award from the National Recycling Coalition.

The Oregon Institute of Technology, OIT, also has earned distinction for offering the Nation's first 4-year undergraduate degree program in renewable energy. The institute is on track to graduate the first class of students this year. Graduating students can seek employment in variety of fields including design, engineering, installation, auditing and programming within the renewable energy sector. Additionally, OIT is working to become the only college campus in the world to be completely powered by geothermal energy.

I believe that we have a responsibility to encourage efforts to increase the availability of renewable energy and conserve our natural resources. Oregon continues to build on a long history of innovation in environmental policy and practice. These community colleges are leading the way in educating these workers and providing highly skilled workers to the rapidly expanding renewable energy sector in our State and the Nation. I commend them for their efforts and pledge my full support as they move forward.●

TRIBUTE TO JACK H. RHYNER

● Mr. STEVENS. Mr. President, last week Jack Rhyner lost his courageous battle against cancer, and Alaska lost a pioneer in our telecommunications industry and I lost a very good friend.

As a young man, Jack worked alongside his father, Richard Rhyner, as he founded TelAlaska. At 16, Jack salvaged telephone equipment damaged in the Fairbanks flood of 1967. Using emery boards to smooth out the gold points on the mechanical switches and high-pressure water hoses and brushes, he cleaned and repaired each component.

Jack and his dad used that salvaged equipment to build the first telephone system in Fort Yukon. Until then, residents of that village shared a single phone line at the airport. Today, more than 300 residents have private lines in their homes and access to DSL Internet service.

In 1982, Jack took leadership of Interior Telephone. Over the years he worked with his wife Donna developing and expanding TelAlaska into a statewide, modern company connecting many of our rural villages to phone service for the first time. Jack's commitment and hard work resulted in dozens of villages—most of them inaccessible by road—becoming connected to the world by telephone systems. In addition, TelAlaska provides DSL service to 12 villages and cable service to 4 small communities including my own hometown of Girdwood.

Jack was appointed to the FCC's Rural Task Force where he worked tirelessly to ensure affordable rates and reliable service in Alaska. As a respected leader in Alaska's telecommunications industry, Jack was often called upon to share his insight into our State's unique communications challenges with Congress, State, and Federal agencies.

Jack's contributions to the advancement of telecommunications in Alaska earned him the prestigious Kaguyak Award from the Alaska Telephone Association. The Western Telecommunications Alliance recognized Jack's dedication to rural telecommunications with the President's Award.

A true Alaskan, Jack was an avid outdoorsman. He enjoyed spending

time with his shooting team which won more than a dozen championships at Birchwood Shooting Park. He would smile when he talked about setting up visits to the communities served by TelAlaska's companies, checking the calendar to ensure that he would arrive in the right season for a day or two of fishing or hunting. It is no surprise, then, that he wanted his ashes spread in the fall at his favorite duck hunting retreat at Cold Bay.

Catherine and I send our condolences to Donna and their sons, Ryan and Richard II, and all who knew and loved Jack. He will be missed.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill:

H.R. 2830. An act to authorize appropriations for the Coast Guard for fiscal year 2008, to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes.

The message also announced that pursuant to section 841(b) of the National Defense Authorization Act for Fiscal Year 2008 (P.L. 10–181), the Minority Leader appoints Mr. Dean G. Popps of Virginia to the Commission on Wartime Contracting.

At 4:20 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill:

H.R. 5715. An act to ensure continued availability of access to the Federal student loan program for students and families.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 2920. A bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

H.R. 5613. To extend certain moratoria and impose additional moratoria on certain Medicaid regulations through April 1, 2009, and for other purposes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2830. An act to authorize appropriations for the Coast Guard for fiscal year 2008, to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5715. An act to ensure continued availability of access to the Federal student loan program for students and families.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5983. A communication from the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Standard for the Flammability of Clothing Textiles'' (RIN3041–AB68) received on April 23, 2008; to the Committee on Commerce, Science, and Transportation.

EC–5984. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the feasibility study that was undertaken to evaluate flood damage reduction opportunities for the communities of Cynthiana, Millersburg, and Paris, in the Licking River Basin, Kentucky; to the Committee on Environment and Public Works.

EC–5985. A communication from the Assistant Secretary, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Public Access, Use, and Recreation Regulations for the Upper Mississippi River National Wildlife and Fish Refuge'' (RIN1018–AV43) received on April 23, 2008; to the Committee on Environment and Public Works.

EC–5986. A communication from the Assistant Secretary of the Army (Civil Works), transmitting a legislative proposal intended to address the declining balance in the Inland Waterways Trust Fund; to the Committee on Environment and Public Works.

EC–5987. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tier I Issue—Backdated Stock Options Directive No. 2'' (LMSB Control No. 4–0308–017) received on April 23, 2008; to the Committee on Finance.

EC–5988. A communication from the Acting Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to information that was omitted from the original transmittal of the Extradition Agreement with the European Union that was signed on June 25, 2003; to the Committee on Foreign Relations.

EC–5989. A communication from the Acting Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to information that was omitted from the original transmittal of the Agreement on Mutual Legal Assistance that was signed on June 25, 2003; to the Committee on Foreign Relations.

EC–5990. A communication from the General Counsel, Department of the Treasury, transmitting a draft bill intended to contribute to an international clean technology fund; to the Committee on Foreign Relations.

EC–5991. A communication from the General Counsel, Department of the Treasury, transmitting a draft bill intended to provide for a U.S. contribution to the replenishment of the resource of the International Development Association; to the Committee on Foreign Relations.

EC–5992. A communication from the General Counsel, Department of the Treasury, transmitting a draft bill intended to provide for U.S. contribution to the eleventh replenishment of the resources of the African Development Fund; to the Committee on Foreign Relations.

EC–5993. A communication from the Chairman, National Endowment for the Arts, National Foundation on the Arts and the Humanities, transmitting, pursuant to law, the Foundation's annual report relative to the Arts and Artifacts Indemnity Program for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC–5994. A communication from the President, Gallaudet University, transmitting a report relative to the school's desire to appoint a Senator to its Board of Trustees; to the Committee on Homeland Security and Governmental Affairs.

EC–5995. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–338, ''Transit Operator Protection and Enhanced Penalty Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5996. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–357, ''Procurement of Natural Gas and Electricity Exemption Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5997. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–356, ''Vending Regulation Temporary Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5998. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–339, ''Telecommunications Competition Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–5999. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–340, ''Clinical Trials Insurance Coverage Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6000. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–341, ''East of the River Hospital Revitalization Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6001. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–345, ''Retirement Incentive Temporary Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6002. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–358, ''Dedication of Land for Street Purposes, the Establishment of a Building Restriction Line, S.O. 06–9108, and the Removal of a Portion of a 50-foot Right-of-Way from the Highway Plan on Lot 822, in

Square 1346, S.O. 06–9107, Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6003. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–342, ''Loretta Carter Hanes Pesticide Consumer Notification Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–6004. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17–343, ''Ballpark Public Safety Amendment Act of 2008'' received on April 23, 2008; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–315. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass the ''Florida Restaurants Lending a Helping Hand Act''; to the Committee on Banking, Housing, and Urban Affairs.

POM–316. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to repeal the 2011 Sunset of Miami-Dade Affordable Housing Surtax Program; to the Committee on Banking, Housing, and Urban Affairs.

POM–317. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass legislation allowing forensic employees to purchase additional retirement credits; to the Committee on Health, Education, Labor, and Pensions.

POM–318. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass legislation requiring health insurance policies to cover treatments for autism; to the Committee on Health, Education, Labor, and Pensions.

POM–319. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to declare the month of March 2008 as Lions Eye Bank Month; to the Committee on Health, Education, Labor, and Pensions.

POM–320. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to pass legislation allowing voters with no party affiliation to vote in any party primary; to the Committee on Homeland Security and Governmental Affairs.

POM–321. A resolution adopted by the Board of County Commissioners of Miami-Dade County of the State of Florida urging the Florida Legislature to provide additional flexibility in making partial payments of property taxes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes (Rept. No. 110–332).

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. REID (for Mrs. CLINTON):

S. 2921. A bill to require pilot programs on training and certification for family caregiver personal care attendants for veterans and members of the Armed Forces with traumatic brain injury, to require a pilot program on provision of respite care to such veterans and members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BINGAMAN (by request):

S. 2922. A bill to repeal certain oil and gas incentives established in the Energy Policy Act of 2005, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. AKAKA:

S. 2923. A bill to provide for a three-year extension of the Senior oversight Committee on wounded warrior matters, and for other purposes; to the Committee on Armed Services.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 2924. A bill to authorize the production of Saint-Gaudens Double Eagle ultra-high relief bullion coins in palladium to provide affordable opportunities for investments in precious metals, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 2925. A bill to provide for research into the development of energy-efficient technologies and renewable energy technologies and to foster the introduction of energy-efficient technologies and renewable energy technologies into the marketplace, with the goal of reducing United States oil imports; to the Committee on Energy and Natural Resources.

By Mr. AKAKA:

S. 2926. A bill to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BARRASSO (for himself and Mr. BOND):

S. 2927. A bill to increase the supply and lower the cost of petroleum by temporarily suspending the acquisition of petroleum for the Strategic Petroleum Reserve and to amend the Energy Policy and Conservation Act to include additional acquisition requirements for the Reserve; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN (for himself, Mr. LEVIN, Ms. STABENOW, Mr. KOHL, Mr. MENENDEZ, Mr. GRASSLEY, Mr. DURBIN, Mr. CASEY, and Mr. JOHNSON):

S. Res. 534. A resolution designating the month of May 2008 as ''National Drug Court Month''; to the Committee on the Judiciary.

By Mr. REID (for Mrs. CLINTON (for herself, Mr. KERRY, Mr. BAYH, Mr. FEINGOLD, Mr. KENNEDY, Mr. SANDERS, and Mr. CASEY)):

S. Res. 535. A resolution recognizing April 28, 2008, as ''National Healthy Schools Day''; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. LEVIN, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. CARPER, Ms. SNOWE, Mr. COLEMAN, Mr. SANDERS, Mrs. BOXER, Ms. STABENOW, and Mr. DURBIN):

S. Res. 536. A resolution recognizing the 15th anniversary of the founding of Seeds of Peace, an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict; considered and agreed to.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. DURBIN, and Mr. KOHL):

S. Res. 537. A resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. MENENDEZ, Mr. CRAIG, Mr. LUGAR, Mr. COCHRAN, Mr. BROWN, Mr. DURBIN, and Mr. CRAPO):

S. Res. 538. A resolution designating April 30, 2008, as ''Dia de los Ninos: Celebrating Young Americans'', and for other purposes; considered and agreed to.

By Mr. INHOFE:

S. Con. Res. 78. A concurrent resolution expressing the sense of Congress that the People's Republic of China and all enterprises owned or controlled by the People's Republic of China should make proper disclosures with the Securities and Exchange Commission regarding the selective default status of certain bonds; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 22, a bill to amend title 38, United States Code, to establish a program of educational assistance for members of the Armed Forces who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 186

At the request of Mr. SPECTER, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 186, a bill to provide appropriate protection to attorney-client privileged communications and attorney work product.

S. 223

At the request of Mr. FEINGOLD, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 223, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 638

At the request of Mr. ROBERTS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 678

At the request of Mrs. BOXER, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 678, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier and are not unnecessarily held on a grounded air carrier before or after a flight, and for other purposes.

S. 932

At the request of Mrs. LINCOLN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 932, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 1232

At the request of Mr. DODD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1232, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop a voluntary policy for managing the risk of food allergy and anaphylaxis in schools, to establish school-based food allergy management grants, and for other purposes.

S. 1675

At the request of Ms. CANTWELL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1675, a bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service.

S. 1755

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1755, a bill to amend the Richard B. Russell National School Lunch Act to make permanent the summer food service pilot project for rural areas of Pennsylvania and apply the program to rural areas of every State.

S. 2314

At the request of Mr. SALAZAR, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2314, a bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes.

S. 2337

At the request of Mr. GRASSLEY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2337, a bill to amend the Internal Revenue Code of 1986 to allow long-term care insurance to be offered under cafeteria plans and flexible spending arrangements and to provide additional consumer protections for long-term care insurance.

S. 2369

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2369, a bill to amend title 35, United States Code, to provide that certain tax planning inventions are not patentable, and for other purposes.

S. 2407

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2407, a bill to provide for programs that reduce the need for abortion, help women bear healthy children, and support new parents.

S. 2426

At the request of Ms. KLOBUCHAR, her name was added as a cosponsor of S. 2426, a bill to provide for congressional oversight of United States agreements with the Government of Iraq.

S. 2575

At the request of Mrs. HUTCHISON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2575, a bill to amend title 38, United States Code, to remove certain limitations on the transfer of entitlement to basic educational assistance under Montgomery GI Bill, and for other purposes.

S. 2619

At the request of Mr. COBURN, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Alaska (Mr. STEVENS) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2619, a bill to protect innocent Americans from violent crime in national parks.

S. 2681

At the request of Mr. INHOFE, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from Ohio (Mr. BROWN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Minnesota (Mr. COLEMAN), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 2681, a bill to require the issuance of medals to recognize the dedication and valor of Native American code talkers.

S. 2688

At the request of Mr. INOUYE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2688, a bill to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption.

S. 2726

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2726, a bill to amend the Emergency Food Assistance Act of 1983 to require the Secretary of Agriculture to help offset the costs of intrastate transportation, storage, and distribution of bonus commodities provided to States and food assistance agencies under the emergency food assistance program.

S. 2758

At the request of Ms. MURKOWSKI, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2758, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2766, a bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

S. 2785

At the request of Ms. STABENOW, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 2785, a bill to amend title XVIII of the Security Act to preserve access to physicians' services under the Medicare program.

S. 2819

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2819, a bill to preserve access to Medicaid and the State Children's Health Insurance Program during an economic downturn, and for other purposes.

S. 2836

At the request of Mr. CHAMBLISS, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2836, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 2867

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2867, a bill to authorize additional resources to identify and eliminate illicit sources of firearms smuggled into Mexico for use by violent drug trafficking organizations, and for other purposes.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2874, a bill to amend titles 5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from

the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2886

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 2886, a bill to amend the Internal Revenue Code of 1986 to amend certain expiring provisions.

S. 2895

At the request of Mr. DODD, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2895, a bill to amend the Higher Education Act of 1965 to maintain eligibility, for Federal PLUS loans, of borrowers who are 90 or more days delinquent on mortgage loan payments, or for whom foreclosure proceedings have been initiated, with respect to their primary residence.

S. 2899

At the request of Mr. HARKIN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2899, a bill to direct the Secretary of Veterans Affairs to conduct a study on suicides among veterans.

S. 2919

At the request of Mr. STEVENS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2919, a bill to promote the accurate transmission of network traffic identification information.

S. 2920

At the request of Mr. KERRY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. RES. 523

At the request of Mr. BIDEN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. Res. 523, a resolution expressing the strong support of the Senate for the declaration of the North Atlantic Treaty Organization at the Bucharest Summit that Ukraine and Georgia will become members of the alliance.

S. RES. 533

At the request of Mr. KERRY, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Vermont (Mr. LEAHY), the Senator from New York (Mrs. CLINTON) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 533, a resolution expressing the sense of the Senate regarding the political situation in Zimbabwe.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (by request):

S. 2922. A bill to repeal certain oil and gas incentives established in the Energy Policy Act of 2005, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise to introduce by request a bill transmitted by the Administration that would eliminate mandatory royalty relief incentives for the oil and gas industry on the Outer Continental Shelf, OCS, in the Gulf of Mexico. I share the administration's position that these royalty incentives should not apply to future OCS oil and gas lease sales on a mandatory basis.

Section 344 of the Energy Policy Act of 2005, EPAct, requires the Secretary of the Interior to provide for royalty relief for the production of deep gas from the OCS. Section 345 of EPAct requires the Secretary to extend royalty relief for oil and gas produced from deep water of the OCS. Under these provisions, at certain prices a set quantity of federally-owned oil and gas is allowed to be produced without any royalty payment by industry to the United States. Similar royalty relief language, included in legislation enacted in 1995, has given rise to circumstances that may expose the Treasury to up to an estimated $60 billion in forgone royalty revenues.

Neither deep gas nor deep water royalty relief is warranted in this price climate. Last year, the administration requested that these incentives be repealed. The President's proposed budget for fiscal year 2009 renews this request. I hope that my colleagues will join me in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the bill and a letter of support be printed in the RECORD.

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

S. 2922

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

SECTION 1. REPEAL OF CERTAIN OIL AND GAS INCENTIVES.

Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, April 7, 2008.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Enclosed is a copy of the letter sent to the President of the Senate on August 20, 2007, urging the Senate to consider legislation "to repeal certain oil and gas incentives contained in the Energy Policy Act of 2005." This legislative proposal would end the mandatory royalty relief incentives for future OCS lease sales.

I want to make sure that you are aware of the significance and time sensitivity of this legislative proposal. The next Gulf of Mexico lease sale is scheduled in August of 2008. By law, the Minerals Management Service (MMS) must publish a final notice of sale with final terms and conditions, including royalty relief incentives, at least 30 days prior to the sale. To ensure that any legislative changes are reflected in the final notice of sale for the August sale, this issue must be resolved by July 1.

Please note that an immediate repeal of the mandatory royalty relief is supported by the Administration. Provisions to support the repeal are included in the President's Fiscal Year 2008 budget and cleared by the Office of Management and Budget. Prompt action is now needed by Congress if the repeal of the mandatory royalty relief is to be included in the fast approaching Gulf of Mexico sale.

Your immediate attention would be greatly appreciated. I am personally available to discuss this legislation with you and answer any questions you or your staff may have.

Sincerely,

C. STEPHEN ALLRED,
Assistance Secretary,
Land and Minerals Management.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, April 20, 2007.

Hon. RICHARD B. CHENEY,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft bill, "to repeal certain oil and gas incentives contained in the Energy Policy Act of 2005 and for other purposes."

I recommend that the draft bill be introduced, referred to the appropriate committee for consideration, and enacted.

The repeal of sections 344 and 345 of the Energy Policy Act of 2005 (Energy Policy Act) has been proposed in the President's Fiscal Year 2008 budget. Section 344 of the Energy Policy Act extended existing deep gas incentives by mandating a royalty suspension volume of at least 35 billion cubic feet of natural gas for certain wells completed at depths greater than 20,000 feet subsea on leases located in 0–400 meters of water. Section 344 also directed that the same methodology used to calculate suspension volumes in the Minerals Management Service's 2004 rule for wells completed between 15,000 feet and 20,000 feet sub-sea on leases in 0–200 meters of water be applied to leases in 200–400 meters of water. Section 345 of the Energy Policy Act provided mandatory royalty suspension volumes for leases in water depths greater than 400 meters issued in the first five years after the Energy Policy Act's enactment (August 8, 2005–August 8, 2010).

Repeal of Sections 344 and 345 of the Energy Policy Act would eliminate incentives and royalty relief that we believe are unwarranted in today's price environment.

The Office of Management and Budget has advised that the enactment of this draft bill would be in accord with the program of the President.

An identical letter is being sent to the Honorable Nancy Pelosi, Speaker of the House of Representatives.

Sincerely,

C. STEPHEN ALLRED,
Assistant Secretary,
Land and Minerals Management.

A BILL

To repeal certain oil and gas incentives contained in the Energy Policy Act of 2005 and fur other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904 and 15905) are repealed.

SECTION BY SECTION SUMMARY

A bill to repeal certain oil and gas incentives contained in the Energy Policy Act of 2005 and for other purposes.

This bill would repeal incentives for natural gas production from deep wells in shallow waters of the Gulf of Mexico and royalty relief for deep water production in the Gulf of Mexico.

By Mr. AKAKA:

S. 2923. A bill to provide for a three-year extension of the Senior oversight Committee on wounded warrior matters, and for other purposes; to the Committee on Armed Services.

Mr. AKAKA. Mr. President, today I am introducing the proposed Senior Oversight Committee Extension Act of 2008 The VA and DoD Senior Oversight Committee—the SOC—has been an important component of ongoing efforts to ensure that the Departments of Veterans Affairs and Defense work together to improve the treatment and care of our Nation's wounded warriors. This bill requires a 3-year extension of the VA and DoD SOC so that it may continue its vitally important oversight function.

As a result of the problems identified at Walter Reed Army Medical Center in May 2007, VA and DoD established the SOC to identify corrective actions. It was tasked with reviewing and overseeing the implementation of the recommendations of the various task forces and study groups which were established to study problems related to the transitioning of seriously injured servicemembers. Today, the SOC and its supporting staff continue to work toward implementing policies and procedures to streamline and expedite joint efforts to provide seriously injured servicemembers and veterans with the best care available.

The SOC is currently co-chaired by the Deputy Secretary of Defense and the Deputy Secretary of Veterans Affairs. It brings together the most senior VA and DoD officials on a regular basis to ensure that the decisions designed to improve care, recovery, rehabilitation and reintegration of seriously injured servicemembers are made in a timely and efficient manner. It is supported by a full-time joint VA and DoD staff that is responsible for coordinating, integrating and synchronizing the activities of the Committee.

The Administration's current plan is for the SOC to hand over its responsibilities next January to the existing VA and DoD Joint Executive Council. However, the Joint Executive Council has neither a full time staff nor the equivalent involvement of senior VA and DoD officials. The JEC staff has neither the resources nor the leverage within the individual Departments to carry out the essential work that the SOC has managed. Veterans' organizations who testified at the April 23, 2008, Senate Veterans' Affairs Committee hearing support the need to extend the SOC rather than transfer responsibilities to the Joint Executive Council.

Although I am pleased with the progress that has been achieved over the past year on improving VA and DoD cooperation and collaboration, much work remains. I am concerned that, in the future, without the full weight of VA and DoD leadership behind these activities, an ongoing commitment to solving the problems related to the goal of seamless transition and a full time staff to track implementation, there is a very real risk of returning to the bureaucratic lethargy which contributed to the Walter Reed scandal. We have come too far to return to those days.

I am a firm believer in the adage that what the boss checks is what gets done. To make sure the boss—in this case, the Secretaries of Veterans Affairs and Defense—keep an eye on coordination and cooperation between the two departments, I am introducing this legislation to provide the two Secretaries with authority to extend the work of the SOC for 3 years, to ensure the continued existence of a joint body that will serve as the single point of contact for the oversight, strategy and integration of policies and procedures pertaining to the seriously injured.

With the upcoming change in Administration, there can be no wavering on the high level of attention that the Departments have brought to issues of coordination and cooperation. I am committed to sustaining this effort for as long as there are servicemembers in combat.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2923

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Senior Oversight Committee Extension Act of 2008''.

SEC. 2. THREE-YEAR EXTENSION OF SENIOR OVERSIGHT COMMITTEE WITH RESPECT TO WOUNDED WARRIOR MATTERS.

(a) IN GENERAL.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly take such actions as are appropriate, including the allocation of appropriate personnel, funding, and other resources, to continue the operations of the Senior Oversight Committee until September 30, 2011.

(b) REPORT ON FURTHER EXTENSION OF COMMITTEE.—Not later than December 31, 2010, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report setting forth the joint recommendation of the Secretaries as to the advisability of continuing the operations of the Senior Oversight Committee after September 30, 2011. If the Secretaries recommend that continuing the operations of the Senior Oversight Committee after September 30, 2011, is advisable, the report may include such recommendations for the modification of the responsibilities, composition, or support of the Senior Oversight Committee as the Secretaries jointly consider appropriate.

(c) SENIOR OVERSIGHT COMMITTEE DEFINED.—In this section, the term ''Senior Oversight Committee'' means the Senior Oversight Committee jointly established by the Secretary of Defense and the Secretary of Veterans Affairs in May 2007 to address concerns related to the treatment of wounded, ill, and injured members of the Armed Forces and veterans and serve as the single point of contact for oversight, strategy, and integration of proposed strategies for the efforts of the Department of Defense and the Department of Veterans Affairs to improve support throughout the recovery, rehabilitation, and reintegration of wounded, ill, or injured members of the Armed Forces.

By Mr. AKAKA:

S. 2926. A bill to amend title 38, United States Code, to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, I am introducing legislation concerning the nonprofit research and education corporations—NPCs—that serve the Department of Veterans Affairs. These organizations provide essential support to research and education at VA facilities around the country. My legislation will amend the law which authorizes NPCs so as to better reflect their mission and the needs of VA, as well as strengthen control and oversight of these entities.

The legislation which authorizes NPCs was enacted in 1988 to allow the establishment of these entities as flexible funding mechanisms for the conduct of research and education at VA medical centers. In 2006, 85 NPCs expended $227 million in support of over 5,000 VA research and education programs. NPCs give VA the opportunity to access and manage research funds from sources outside of VA, while maintaining VA oversight.

Twenty years have passed since the inception of NPCs, and it is time to update the law governing their operation. VA's research needs have shifted and the function of NPCs has evolved. I will highlight a few of the corrections this legislation would make.

NPCs are nonprofit 501(c)(3) organizations that are entirely dedicated to serving VA research. They efficiently administer VA research funds, and provide access to some funds that VA would otherwise be unable to access. Unfortunately, given their close affiliation with VA, and due in part to various state laws, NPC nonprofit status is in some situations unclear. My legislation would explicitly identify the nonprofit status of NPCs under IRS code. It would also make clear that NPCs are not owned or controlled by the U.S. Government, and are not agencies or instrumentalities of the U.S.

As the utility and appeal of NPCs have grown, their numbers have expanded. While this growth is positive, it is not always efficient or feasible for a medical center to establish and manage its own NPC. The legislation would

create authority for multi-medical center NPCs to be shared among a number of medical centers. Condensing numerous NPCs into one would retain the local affiliations that make them valuable and effective, but would achieve greater efficiency and economy of scale by combining administrative resources.

The legislation would make additional adjustments in other areas. It would expand VA's oversight capability. It would clarify existing authority for NPCs to transfer funds among medical centers, and it would clarify reimbursement processes. It would also modify the required composition of NPC governance boards, to allow individuals with a wider range of expertise to serve.

I believe these proposed changes would facilitate better working relationships between NPCs and VA, thereby achieving better support of VA research and education. I am confident that these provisions will make an effective source of support for VA even stronger.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 534—DESIGNATING THE MONTH OF MAY 2008 AS ''NATIONAL DRUG COURT MONTH''

Mr. BIDEN (for himself, Mr. LEVIN, Ms. STABENOW, Mr. KOHL, Mr. MENENDEZ, Mr. GRASSLEY, Mr. DURBIN, Mr. CASEY, and Mr. JOHNSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 534

Whereas drug courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against drug abuse and criminality;

Whereas 60 percent to 80 percent of drug offenders sentenced to prison and over 40 percent sentenced to probation recidivate, and whereas fewer than 17 percent of drug court graduates recidivate;

Whereas the results of more than 100 program evaluations and at least 3 experimental studies have yielded evidence that drug courts greatly improve substance abuse treatment outcomes, substantially reduce crime, and produce significant societal benefits;

Whereas drug courts transform over 120,000 addicts each year in the adult, juvenile, and family court systems into drug-free, productive citizens;

Whereas judges, prosecutors, defense attorneys, substance abuse treatment and rehabilitation professionals, law enforcement and community supervision personnel, researchers and educators, national and community leaders, and others dedicated to drug courts and similar types of treatment programs are healing families and communities across the country; and

Whereas the drug court movement has grown from the 12 original drug courts in 1994 to over 2,000 operational drug courts as of December 2007: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of May 2008 as ''National Drug Court Month'';

(2) encourages the people of the United States and interested groups to observe the month with appropriate ceremonies and activities;

(3) encourages leaders across the United States to increase the use of drug courts by instituting sustainable drug courts and other treatment-based alternatives to prison in all 3,143 counties in the United States, which serve the vast majority of the highest-need citizens in the justice system; and

(4) supports the goal of robustly funding the Drug Court Discretionary Grant Program and other treatment-based alternatives to prison in order to expand these critical criminal justice programs.

Mr. BIDEN. Mr. President, today I rise to introduce a resolution marking May 2008 as National Drug Court Month. The more than 2,000 drug courts that currently operate across the country are critical to curbing drug use, reducing recidivism, and turning non-violent prisoners into law abiding and productive members of our society.

Drug courts closely supervise non-violent drug offenders as they address their addiction or substance abuse problem. When they graduate from the program they are clean, sober and better prepared to participate productively in society. In order to graduate from most drug court programs, participants are required to finish high school or obtain a GED, hold down a job, as well as maintain financial obligations including drug court fees and child support payments. A sponsor is also required to help ensure they stay on track.

In 1994, I wrote the law that created the drug courts program because we believed that the programs they oversee were cost-effective, innovative alternatives to prison that would reduce crime and deal with non-violent offenders who are in desperate need of treatment. It turns out we were right. A 2005 report from the Government Accountability Office found that drug court program participants were less likely to be rearrested or reconvicted than those who did not participate in drug court programs. The report also concluded that a conservative estimate of the net benefits to society of sending a non-violent offender throug drug court program ranges from about $1,000 per participant to about $15,000. There is just no question that these alternative to prison programs not only work, but also make great financial sense.

Treating non-violent offenders through drug court-monitored programs and other alternatives to prison treatment programs provides them with an opportunity to turn away from drugs and to get on the path to be healthy, contributing members of society. It also helps to reduce America's exploding prison population: more than 2.3 million people are in prisons and jails across the U.S.; 1 in 100 adults in the United States are behind bars. It costs an average of nearly $24,000 to imprison an individual. Drug courts can reduce the financial burden on State and local budgets.

I hope that National Drug Court Month raises awareness about the importance of drug courts and other alternatives to prison treatment-based programs. I ask my colleagues to join me in commending these programs and urging state, local and Federal officials to help expand and robustly fund these treatment programs throughout the country.

SENATE RESOLUTION 535—RECOGNIZING APRIL 28, 2008, AS ''NATIONAL HEALTHY SCHOOLS DAY''

Mr. REID (for Mrs. CLINTON (for herself, Mr. KERRY, Mr. BAYH, Mr. FEINGOLD, Mr. KENNEDY, Mr. SANDERS, and Mr. CASEY)) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 535

Whereas over half of schools in the United States have problems linked to indoor air quality;

Whereas children are more vulnerable to environmental hazards as they breathe in more air per pound of body weight due to their developing systems;

Whereas children spend an average of 30 to 50 hours per week in school;

Whereas poor indoor environmental quality is associated with a wide rage of problems that include poor concentration, respiratory illnesses, learning difficulties, and cancer;

Whereas research suggests that children attending schools in poor condition score 11 percent lower on standardized tests than students who attend schools in good condition;

Whereas an average of 1 out of every 13 school-age children has asthma, the leading cause of school absenteeism, accounting for approximately 14,700,000 missed school days each year;

Whereas 17 separate studies all found positive health impacts from improved indoor air-quality, ranging from 13.5 percent up to 87 percent improvement;

Whereas our Nation's schools spent approximately $8,000,000,000 on energy costs in the last school year, causing officials to make very difficult decisions on cutting back much needed academic programs in efforts to maintain heat and electricity;

Whereas healthy and high performance schools designed to reduce energy and maintenance costs, provide cleaner air, improve lighting, and reduce exposures to toxic substances provide a healthier and safer learning environment for children and improved academic achievement and well-being;

Whereas green and healthy schools save on average $100,000 per year on energy costs, enough to hire 2 teachers, buy 200 new computers, or purchase 5,000 new textbooks;

Whereas converting all the Nation's schools to green schools would reduce carbon dioxide emissions by 33,200,000 metric tons;

Whereas Congress has demonstrated its interest in this compelling issue by including the Healthy High-Performance Schools Program in the No Child Left Behind Act and the Energy Independence and Security Act of 2007; and

Whereas our schools have the great responsibility of guiding the future of our children and our Nation: Now, therefore, be it

Resolved, That the Senate recognizes April 28, 2008, as ''National Healthy Schools Day''.

Mrs. CLINTON. Mr. President, today is National Healthy Schools Day—established to build awareness and promote healthy school environments for our children and school personnel.

Many organizations—including the Healthy Schools Network in New York—have worked together over the years to educate their communities as well as local, State, and Federal elected officials of the conditions that many of our children and teachers are subjected to on a daily basis. I strongly believe the work of these organizations is crucial in fostering the development and well being of our Nation's children. That is why I am proud to join them in this effort as the sponsor of resolution recognizing April 28, 2008 as National Healthy Schools Day. By recognizing this day, Congress can promote healthy school environments for all children, teachers, principals, and school staff.

Over half of our Nation' schools have environmental problems linked to poor indoor air quality AQ. Poor IAQ can cause a wide range of academic problems for the millions of children attending these schools, including lack of concentration, respiratory illnesses, learning difficulties, and even cancer. Furthermore, millions of school absences each year are attributed to health problems caused by poor IAQ or other unhealthy school environments.

It is imperative that we address these problems. From holding demonstrations on healthy cleaning practices to conducting workshops on how to design a healthy, high-performance school, the Healthy Schools Network along with other partner organizations will provide practical ways to make our schools healthier, safer learning environments for our children and teachers.

Congress has demonstrated its interest in this compelling issue by including the Healthy High-Performance Schools Program in the No Child Left Behind Act and the Energy Independence and Security Act. I encourage my colleagues to continue to fight on our children's behalf by adopting this resolution.

We must spread awareness of the environmental health of our Nation's schools. I commend those across the Nation who are using National Healthy Schools Day to do just that.

SENATE RESOLUTION 536—RECOGNIZING THE 15TH ANNIVERSARY OF THE FOUNDING OF SEEDS OF PEACE, AN ORGANIZATION PROMOTING UNDERSTANDING, RECONCILIATION, ACCEPTANCE, COEXISTENCE, AND PEACE IN THE MIDDLE EAST, SOUTH ASIA, AND OTHER REGIONS OF CONFLICT

Ms. COLLINS (for herself, Mr. LEVIN, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. CARPER, Ms. SNOWE, Mr. COLEMAN, Mr. SANDERS, Mrs. BOXER, Ms. STABENOW, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 536

Whereas Seeds of Peace, founded by John Wallach, organizes and operates a program that brings together young people and educators from regions of conflict to study and learn about coexistence and conflict resolution;

Whereas Seeds of Peace operates a summer camp in Otisfield, Maine, as well as regional programs around the world, such as the Facilitation Training Course in the Middle East, the Homestay Programs in South Asia, or the International Regional Conferences;

Whereas the first International Conflict Resolution Camp welcomed Israeli, Palestinian, Jordanian, and Egyptian youth the summer of 1993, and the camp has since expanded to involve youths from other regions of conflict, including Greece, Turkey, Cyprus, the Balkans, India, Pakistan, and Afghanistan;

Whereas Seeds of Peace utilizes the summer camp to initiate dialogue between the youth of the United States and youth from various conflict regions to dispel hatred and create religious and cultural understanding;

Whereas hundreds of educators receive training through the regional operations of Seeds of Peace to support and teach peaceful conflict resolution techniques in their classrooms, ensuring that thousands of students around the world are exposed to those techniques;

Whereas Seeds of Peace works to dispel fear, mistrust, and prejudice, which are root causes of violence and conflict, and to build a new generation of leaders who are committed to achieving peace;

Whereas Seeds of Peace reveals the human face of youth who are too often exposed to hatred, by engaging campers in both guided coexistence sessions and ordinary summer camp activities, such as sharing meals, canoeing, swimming, playing sports, and exploring creativity through the arts and computers;

Whereas the Arab-Israeli conflict, as well as India-Pakistan and Afghanistan-Pakistan tensions, are currently at critical junctures, and progress toward peace will be enhanced by the emergence of a new generation of leaders who will choose dialogue, friendship, and openness over violence and hatred;

Whereas Seeds of Peace provides year-round opportunities, through regional programming and the innovative use of technology, to enable former participants to build on the relationships forged at camp, so that the learning processes begun at camp may continue in the participants' home countries, where they are most needed;

Whereas youth graduates of the camp, known as ''Seeds,'' currently number more than 4,000, with an additional 567 adult delegation leaders also having completed the camp programming;

Whereas this graduate network receives continued support in promoting professional cooperation;

Whereas Seeds of Peace is strongly supported by participating governments and many world leaders;

Whereas Federal funding for Seeds of Peace demonstrates the recognized importance of Seeds of Peace in promoting the foreign policy goals of the United States; and

Whereas it is especially important to reaffirm that youth must be involved in long-term, visionary solutions to conflicts perpetuated by cycles of violence: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 15th anniversary of the founding of Seeds of Peace;

(2) honors the accomplishments of Seeds of Peace in promoting understanding, reconciliation, acceptance, coexistence, and peace among youth from the Middle East and other regions of conflict around the world; and

(3) recognizes Seeds of Peace as a model of hope for living together in peace and security.

SENATE RESOLUTION 537—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE MEN AND WOMEN WHO HAVE LOST THEIR LIVES WHILE SERVING AS LAW ENFORCEMENT OFFICERS

Mr. LEAHY (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. DURBIN, and Mr. KOHL) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 537

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas 181 peace officers across the United States were killed in the line of duty during 2007, tragically the highest yearly total since 2001;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers, including—

(1) better equipment and increased use of bullet-resistant vests;

(2) improved training; and

(3) advanced emergency medical care;

Whereas, every 2 days on average, 1 out of every 16 peace officers is assaulted, 1 out of every 56 peace officers is injured, and 1 out of every 5,500 peace officers is killed in the line of duty somewhere in the United States; and

Whereas, on May 15, 2008, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes May 15, 2008, as ''Peace Officers Memorial Day'', in honor of the Federal, State, and local law enforcement officers that have been killed or disabled in the line of duty; and

(2) calls on the people of the United States to observe that day with appropriate ceremonies, appreciation, and respect.

Mr. LEAHY. Mr. President, I am proud to submit today a bipartisan resolution to designate May 15, 2008, as National Peace Officers Memorial Day. Joining me in the submission of this resolution are Senators SPECTER, KENNEDY, DURBIN, and KOHL. We join in recognizing the sacrifices that law enforcement officers make each day for the American people.

This is now the twelfth year that I have been involved in offering this resolution to honor the sacrifice and commitment of those law enforcement officers who lost their lives serving their communities. For many years I submitted this resolution with my old friend and our former colleague Senator Campbell, a former deputy sheriff. Both Senator Campbell, and I, as a former prosecutor, know well the risks faced by law enforcement officers every day while they serve and protect the American people.

We do not thank our Nation's law enforcement officers enough for the sacrifices they make in order to protect all of us. State and local police officers and all of our first responders deserve our support and respect. Their role is crucial in upholding the rule of law and keeping our Nation's citizens safe and secure. They help make our democracy possible. They are our here-at-home, day-in-and-day-out, real-life heroes.

Currently, more than 900,000 men and women who guard our communities do so at great risk. Since the first recorded police death in 1792, there have been more than 18,200 law enforcement officers who have made the ultimate sacrifice. There is lots of talk about the war on crime. Our law enforcement officers are all too often the casualties in that effort.

We are fortunate in Vermont that we rank as the State with the fewest officer deaths in history, with 19 recorded. But of course that is still 19 deaths too many. The pain and the suffering and the loss associated with every one of those is difficult for anyone to even imagine.

Last year, in 2007, 181 law enforcement officers died while serving in the line of duty. That is a regrettable and significant increase from 2006. Tragically, it is the most line-of-duty deaths since 2001 and the losses from September 11 of that year.

With crime having risen during the last few years after a decade of decline, and with law enforcement officers' deaths increasing, Congress must do more to strongly support State and local law enforcement officers and agencies. Federal programs can bolster police departments and their support for line officers. We should help provide greater access to bulletproof vests, state-of-the-art technology, improved training and advanced emergency medical care. I believe that there is strength in numbers when it comes to fighting violent crime, and Congress owes it to all Americans to support the men and women who are on the front lines keeping America safe.

I am proud of the work I have been involved in to help make it safer on the beat for our officers. Back in 1998, Senator Campbell and I authored the Bulletproof Vest Grant Partnership Act in response to the tragic Carl Drega shootout on the Vermont-New Hampshire border. Two Sate troopers who lacked bulletproof vests were killed. Since then, we have successfully reauthorized this program three more times: in the Bulletproof Vest Partnership Grant Act of 2000, in the State Justice Institute Reauthorization Act of 2004, and most recently as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005. It is now authorized at $50 million per year through fiscal year 2009 to help State, tribal and local jurisdictions purchase armor vests for use by law enforcement officers.

I hope all Senators will join me to ensure that the program is fully funded for fiscal year 2009, and will also join with me to reauthorize this important program again this year. Bulletproof vests have saved the lives of thousands of officers and are a fundamental line of defense that no officer should be without. Hundreds of thousands of police officers are counting on us.

National Peace Officers Memorial Day will provide the people of the U.S., in their communities, in their State Capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by our police forces. During the week of May 15, more than 20,000 peace officers are expected to gather in Washington to join with the families of their fallen comrades. I hope all Senators will join me in honoring their service by approving this bipartisan resolution.

SENATE RESOLUTION 538—DESIGNATING APRIL 30, 2008, AS ''DÍA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS'', AND FOR OTHER PURPOSES

Mr. HATCH (for himself, Mr. CRAIG, Mr. LUGAR, Mr. COCHRAN, Mr. BROWN, Mr. DURBIN, and Mr. CRAPO) submitted the following resolution; which was considered and agreed to:

S. RES. 538

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate ''Día de los Niños'', or ''Day of the Children'', on the 30th of April, in recognition and celebration of their country's future—their children;

Whereas children represent the hopes and dreams of the people of the United States and are the center of American families;

Whereas children should be nurtured and invested in to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas, according to the latest Census report, there are more than 44,000,000 individuals of Hispanic descent living in the United States, nearly 15,000,000 of which are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on this day, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on these family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children's Institute, serving as a voice for children, has worked with cities throughout the country to declare April 30 as ''Día de los Niños: Celebrating Young Americans'', a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all its people, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2008, as ''Día de los Niños: Celebrating Young Americans''; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all our people;

(B) are positive and uplifting and that help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another's cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

SENATE CONCURRENT RESOLUTION 78—EXPRESSING THE SENSE OF CONGRESS THAT THE PEOPLE'S REPUBLIC OF CHINA AND ALL ENTERPRISES OWNED OR CONTROLLED BY THE PEOPLE'S REPUBLIC OF CHINA SHOULD MAKE PROPER DISCLOSURES WITH THE SECURITIES AND EXCHANGE COMMISSION REGARDING THE SELECTIVE DEFAULT STATUS OF CERTAIN BONDS

Mr. INHOFE submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 78

Whereas sovereign debt obligations (in this resolution referred to as ''bonds'') of the Government of the People's Republic of China were offered and sold in the United States capital markets;

Whereas the bonds constitute full faith and credit sovereign obligations of the internationally recognized Government of the People's Republic of China;

Whereas the China subsequently defaulted on the bonds;

Whereas the United States Foreign Claims Settlement Commission determined that the bonds constitute an unpaid general obligation of the Government of the People's Republic of China;

Whereas under the successor government doctrine of settled international law (establishing the continuity of obligations among successor governments), the repayment obligation for the bonds is the obligation of the

Government of the People's Republic of China;

Whereas the Government of the People's Republic of China has been duly notified by representatives of the affiliated United States creditors of the demand for repayment of the bonds;

Whereas the Government of the People's Republic of China continues to refuse to repay the bonds held by United States citizens and has officially repudiated the debts; a clear violation of United States law, international law, rules and regulations of the World Bank and the International Monetary Fund, and the United Nations Charter;

Whereas the Government of the People's Republic of China honored repayment of the bonds held by British citizens while rejecting the claims of United States citizens;

Whereas the Government of the People's Republic of China, its state-owned enterprises, and other entities controlled by the People's Republic of China continue to enjoy open and unfettered access to the United States capital markets, while the Government of the People's Republic of China continues to reject the lawful claims of United States citizens;

Whereas the sales of securities in the United States capital markets issued by Chinese entities, including the Government of the People's Republic of China and its state-owned enterprises, fail to disclose both the existence of the defaulted debt of the Government of the People's Republic of China and the continued evasion of repayment of the bonds, the discriminatory treatment of United States citizens, and the People's Republic of China's repudiation of official debt;

Whereas the wrongful actions of the Government of the People's Republic of China are improperly concealed by the continuing publication of artificial ''investment grade'' sovereign credit rating classifications assigned to the Chinese government by the 3 primary Nationally Recognized Statistical Rating Organizations (NRSROs) and this concealment fails to conform to the published definitions of those Organizations;

Whereas the continued publication of artificial ''investment grade'' sovereign credit rating classifications assigned to the Government of the People's Republic of China provides an incentive to the Chinese government to avoid a negotiated settlement with United States citizens regarding China's default on its sovereign debt obligations;

Whereas the lack of transparency concerning the selective default of the Government of the People's Republic of China poses a material risk to the investing public and threatens the integrity of the United States capital markets; and

Whereas to provide relief to United States bondholders, restore transparency, uphold the rule of law, and affirm the validity of public debt contracts: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the People's Republic of China and its government-owned and controlled enterprises should be required to properly disclose material information concerning the selective default status of these bonds in all prospectuses and filings with the Securities and Exchange Commission.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4578. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4578. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2881, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 through 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 715. OVERFLIGHTS IN GRAND CANYON NATIONAL PARK.

(a) IN GENERAL.—Notwithstanding any other provision of law, for purposes of section 3(b)(1) of Public Law 100–91 (16 U.S.C. 1a–1 note), the substantial restoration of the natural quiet and experience of the Grand Canyon National Park (in this section referred to as the ''Park'') shall be considered to be achieved in the Park if, for at least 75 percent of each day, 50 percent of the Park is free of sound produced by commercial air tour operations that have an allocation to conduct commercial air tours in the Park as of the date of the enactment of this Act.

(b) CONSIDERATIONS.—

(1) IN GENERAL.—For purposes of determining whether substantial restoration of the natural quiet and experience of the Park has been achieved in accordance with subsection (a), the Secretary of the Interior (in this section referred to as the ''Secretary'') shall use—

(A) the 2–zone system for the Park in effect on the date of the enactment of this Act to assess impacts relating to subsectional restoration of natural quiet at the Park, including—

(i) the thresholds for noticeability and audibility; and

(ii) the distribution of land between the 2 zones; and

(B) noise modeling science that is—

(i) developed for use at the Park;

(ii) validated by reasonable standards for conducting field observations of model results; and

(iii) accepted and validated by the Federal Interagency Committee on Aviation Noise.

(2) SOUND FROM OTHER SOURCES.—The Secretary shall not consider sound produced by sources other than commercial air tour operations, including sound emitted by other types of aircraft operations or other noise sources, for purposes of—

(A) making recommendations, developing a final plan, or issuing regulations relating to commercial air tour operations in the Park; or

(B) determining under subsection (a) whether substantial restoration of the natural quiet and experience of the Park has been achieved.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 13, 2008, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine the impacts of climate change on the reliability, security, economics and design of critical energy infrastructure in coastal regions.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Rosemarie Calabro@energy.senate.gov

For further information, please contact Alicia Jackson at (202) 224–3607 or Rosemarie Calabro at (202) 224–5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, April 28, 2008, at 4 p.m. to hold a nomination hearing.

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

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Madam President, I have a unanimous consent request that Michael Engel, a detailee to the Commerce Committee from the Federal Communications Commission; John Hennigan, a detailee to the Commerce Committee from the FAA; Pamela Friedmann, a detailee to the Commerce Committee from the Transportation Safety Administration; Harl Romine, a detailee to the Commerce Committee from the Coast Guard; and Charlotte Heike, a fellow for the Commerce Committee from the Sea Grant Fellowship, be granted the privilege of the floor on this bill.

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

MAKING TECHNICAL CORRECTIONS TO NATIONAL DEFENSE AUTHORIZATION ACT OF 2008

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2829 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

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

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased to join the bipartisan group of Senators on this bill who all recognize our obligation to help those Iraqis who have assisted the United States in Iraq. This legislation will remove obstacles encountered by the Departments of

State and Homeland Security in issuing the 5,000 special visas that Congress authorized in January for those Iraqi citizens.

As part of the 2008 National Defense Authorization Act, Congress provided 5,000 special immigrant visas for Iraqis who had aided the United States as interpreters in the country. As chairman of the Judiciary Committee, I have supported these efforts. The Departments of State and Homeland Security seem stymied and unable to implement what Congress has provided. In our efforts to remove any impediment to fast implementation and address any excuse for further delays, we seek passage of this bill as well, to cut through bureaucratic stalling and technical requirements.

This administration has been woefully slow in recognizing its responsibilities not only to those Iraqis who have helped us, but to all Iraqis who have been displaced or have fled the violence still plaguing that country. The relative inaction by the administration with respect to those Iraqis whose lives are in grave danger due to their assistance of the United States is especially troubling. Action is needed now. The Judiciary Committee held its first hearing on this humanitarian problem more than 15 months ago. That hearing on the plight of Iraqi refugees was among our first, in January 2007. In the interim, the administration has continued to make promises it cannot, or will not keep with respect to the resettlement of Iraqi refugees in the United States.

The administration's failure to acknowledge the Iraqi refugee crisis is emblematic of its inability to address other serious human rights issues that are much of its own making. The injustice resulting from the administration's interpretation of the material support and terrorism related bars that were enacted following September 11, 2001, continues to deprive legitimate asylum seekers of our protection. The consequences of these laws continue to go unaddressed, despite the fact that Congress has now twice given the Department of Homeland Security the authority to alleviate the situation. While Secretary Chertoff is unwilling to use this authority to provide asylum to those who need our protection, he has repeatedly used the vast authority ceded to him by proponents of the REAL ID Act to waive landmark environmental laws in the course of constructing a border wall between the United States and Mexico.

This month, during the Judiciary Committee's oversight hearing on the Department of Homeland Security, I followed up by asking Secretary Chertoff about his Department's lack of progress on implementing the authority Congress has given to him to remedy the material support and terrorism bars. At that time, I challenged him to fulfill the goal of legislation I authored and Congress enacted to provide relief to individuals such as Saman Kareem Ahmad, who received a commendation from General Petreaus for his work on behalf of the United States in Iraq and instructs U.S military personnel in preparation for service in Iraq. Although Mr. Ahmad was granted asylum, his application for a green card was denied because the organization with which he had once served, the Kurdistan Democratic Party, was deemed a ''terrorist organization'' by DHS. I urged Secretary Chertoff to use the authority he has been given to ensure that individuals like Mr. Ahmad were not denied a place in the United States because of inflexible and expansive readings of the so-called ''material support'' bar. I hope the administration takes the opportunity Congress has given it to correct this wrongheaded policy and practice. It is long past the time for this administration to take action and acknowledge the severe humanitarian consequences of its policies, whether in Iraq, or at our shores where the persecuted are seeking refuge.

Providing for the safety of our Iraqi allies is only one aspect of an increasingly severe humanitarian crisis in Iraq. Refugees International recently reported that in the vacuum left by the failure of the Iraqi government to address the plight of millions of its internally displaced citizens, various non-state militias are providing assistance to those who are suffering. By the report's account, these militias are finding fertile ground for recruiting among this population, with the Shiite Sadrist movement now being the ''main service provider'' to displaced Iraqis. We have been pressing the administration for some time to acknowledge this crisis and to make increased efforts to assist those Iraqis who have been internally displaced or who have left the country. Now we learn that the dangers associated with the administration's failure to recognize the magnitude of this crisis go beyond the terrible human cost that has resulted and threaten to undermine any efforts to bring positive change to Iraq.

The bill the Senate approves today will be another effort to encourage this administration to fulfill its obligations to those who have sacrificed significantly to assist the United States. It is my hope that this will end the unacceptable delays and provide long overdue relief.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The bill (S. 2829) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2829

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

SECTION 1. TECHNICAL CORRECTIONS TO PROVISION GRANTING SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS.

Section 1244(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(1) in paragraph (1), by striking ''each of the five years beginning after the date of the enactment of this Act'' and inserting ''fiscal years 2008 through 2012''; and

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking ''ONE THROUGH FOUR'' and inserting ''2008 THROUGH 2011''; and

(ii) by striking ''one through four'' and inserting ''2008 through 2011''; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i)—

(I) in the subparagraph heading, by striking ''FIVE AND SIX'' and inserting ''2012 AND 2013'';

(II) by striking ''the fifth fiscal year beginning after the date of the enactment of this Act'' and inserting ''fiscal year 2012''; and

(III) by striking ''the sixth fiscal year beginning after such date'' and inserting ''fiscal year 2013''; and

(ii) in each of clauses (i) and (ii), by striking ''the fifth fiscal year'' and inserting ''fiscal year 2012''.

SEC. 2. AUTHORITY TO CONVERT PETITIONS DURING TRANSITION PERIOD.

(a) IN GENERAL.—The Secretary of Homeland Security or the Secretary of State may convert an approved petition for special immigrant status under section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) with respect to which a visa under such section 1059 is not immediately available to an approved petition for special immigrant status under section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) notwithstanding any requirement of subsection (a) or (b) of such section 1244 but subject to the numerical limitations applicable under subsection (c) of such section 1244, as amended by this Act.

(b) DURATION.—The authority under subsection (a) shall be available only with respect to petitions filed before October 1, 2008.

HONORING THE PRIME MINISTER OF IRELAND

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 708, S. Con. Res. 74.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 74) honoring the Prime Minister of Ireland, Bertie Ahern, for his service to the people of Ireland and to the world and welcoming the Prime Minister to the United States.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 74) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 74

Whereas the Members of the Senate and the House of Representatives are saddened that the Prime Minister of Ireland, Bertie Ahern, has announced that he will resign on May 6, 2008;

Whereas Prime Minister Ahern has served the people of Ireland with distinction for many years and has been an extraordinary friend to the United States throughout his years in office;

Whereas, during his extensive period of public service, Prime Minister Ahern has made significant contributions to an unprecedented era of peace, prosperity, and progress in Ireland;

Whereas Prime Minister Ahern entered politics in 1977 and has been elected 10 times in the past 31 years by the people of Dublin Central;

Whereas Prime Minister Ahern was elected leader of Fianna Fáil in 1994 and became Prime Minister in 1997;

Whereas Prime Minister Ahern is the second-longest-serving Taoiseach, or Prime Minister, in the history of Ireland, and the second-longest-serving leader of Fianna Fáil;

Whereas Prime Minister Ahern is the first Taoiseach since 1944 to be elected on 3 successive occasions;

Whereas Prime Minister Ahern has been fully committed to strengthening the economy of Ireland and, under his leadership, Ireland became more prosperous than at any time in the history of the country and became world-renowned as the ''Celtic Tiger'';

Whereas the people of Ireland have benefitted from a significantly improved quality of life during Prime Minister Ahern's service as Taoiseach;

Whereas Prime Minister Ahern promised years ago that one of his highest priorities was to end the decades-long cycle of hatred and violence in Northern Ireland;

Whereas Prime Minister Ahern kept that promise and worked assiduously to achieve the peace that Northern Ireland enjoys today;

Whereas the former Prime Minister of the United Kingdom, Tony Blair, described Prime Minister Ahern as a ''remarkable leader'' and stated that Prime Minister Ahern ''will always be remembered for his crucial role in bringing about peace in Northern Ireland, [and] for transforming relations between Britain and the Irish Republic''; and

Whereas Prime Minister Ahern will address a joint session of Congress on April 30, 2008: Now, therefore, be it

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

(1) it is the sense of Congress that—

(A) the Prime Minister of Ireland, Bertie Ahern, has been a strong and effective leader for the people of Ireland and a good friend to the United States;

(B) the skillful leadership of Prime Minister Ahern was indispensable in finally achieving a successful resolution of the longstanding conflict in Northern Ireland; and

(C) the legacy of Prime Minister Ahern is clear and his contribution to peace is enormous;

(2) Congress thanks Prime Minister Ahern on behalf of the people of the United States, wishes him well, and hopes his unique talents will be of service in resolving conflicts elsewhere in the years ahead in our divided world; and

(3) the Members of the Senate and the House of Representatives look forward to paying fitting and fond tribute to Prime Minister Ahern when he addresses a joint session of Congress on April 30, 2008.

TO COMMEND PUBLIC SERVANTS DURING PUBLIC SERVICE RECOGNITION WEEK

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 704, S. Res. 497.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 497) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 5 through 11, 2008.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The resolution (S. Res. 497) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 497

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance United States interests around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the Nation's parks;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the Nation recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist active duty service members and veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 5 through 11, 2008, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 24th anniversary through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;

(2) salutes government employees for their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

SUPPORTING UKRAINE AND GEORGIA BECOMING MEMBERS OF NATO

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 710, S. Res. 523.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 523) expressing the strong support of the Senate for the declaration of the North Atlantic Treaty Organization at the Bucharest Summit that Ukraine

and Georgia will become members of the alliance.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. Mr. President, I further ask the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 523) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 523

Whereas, prior to the Bucharest Summit in April 2008, the Government of Georgia and the Government of Ukraine each expressed the desire to join the North Atlantic Treaty Organization (NATO), have committed their countries to programs of reforms consistent with membership in the Euro-Atlantic community, and have worked consistently for membership in NATO; and

Whereas, in April 2008 at the Bucharest Summit, the assembled leaders of NATO issued the following statement: ''NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO. Both nations have made valuable contributions to Alliance operations. We welcome the democratic reforms in Ukraine and Georgia and look forward to free and fair parliamentary elections in Georgia in May. MAP is the next step for Ukraine and Georgia on their direct way to membership. Today we make clear that we support these countries' applications for MAP. Therefore we will now begin a period of intensive engagement with both at a high political level to address the questions still outstanding pertaining to their MAP applications. We have asked Foreign Ministers to make a first assessment of progress at their December 2008 meeting. Foreign Ministers have the authority to decide on the MAP applications of Ukraine and Georgia.'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the declaration of the Bucharest Summit, which stated that Ukraine and Georgia will become members of NATO;

(2) reiterates its support for the commitment to further enlargement of NATO to include democratic governments that are able and willing to meet the responsibilities of membership; and

(3) urges the foreign ministers of NATO member states at their meeting in December 2008 to consider favorably the applications of the governments of Ukraine and Georgia for Membership Action Plans.

HONORING SMALL BUSINESS OWNERS DURING NATIONAL SMALL BUSINESS WEEK

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent the Small Business Committee be discharged from further consideration of S. Res. 524, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 524) honoring the entrepreneurial spirit of the owners of small business concerns in the United States during National Small Business Week, beginning April 21, 2008.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 524) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 524

Whereas the 26,800,000 small business concerns in the United States are the driving force behind the Nation's economy, creating more than ⅔ of all net new jobs and generating more than 50 percent of the Nation's nonfarm gross domestic product;

Whereas small business concerns represent 99.7 percent of all businesses and employ 50 percent of the Nation's workforce;

Whereas small business concerns represent 97 percent of all exporters and produce 28.6 percent of exported goods;

Whereas small business concerns are the Nation's innovators, advancing technology and productivity;

Whereas the resilience, vitality, and growth of small business concerns are critical to the Nation's competitiveness during a time of economic downturn;

Whereas Congress established the Small Business Administration in 1953, to aid, counsel, assist, and protect the interests of small business concerns in order to preserve free competitive enterprise, to ensure that a fair proportion of the total purchases and contracts or subcontracts for property and services for the Federal Government be placed with small business concerns, to ensure that a fair proportion of the total sales of Government property be made to such small business concerns, and to maintain and strengthen the overall economy of the Nation;

Whereas for over 50 years, the Small Business Administration has provided aid and assistance to millions of entrepreneurs who have succeeded in achieving the American dream of owning a small business concern, and thus has played a key role in fostering economic growth; and

Whereas the President has designated the week beginning April 21, 2008, as National Small Business Week: Now, therefore, be it

Resolved, That the Senate—

(1) honors the entrepreneurial spirit of the owners of small business concerns in the United States during National Small Business Week, beginning April 21, 2008;

(2) honors the efforts and achievements of the owners and employees of small business concerns, whose hard work, commitment to excellence, and willingness to take a risk, have made them a crucial part of the Nation's economy;

(3) recognizes that small business concerns are essential to restoring the Nation's economic health;

(4) recognizes the vital role of the programs of the Small Business Administration and the work of its employees and its resource partners in providing assistance to entrepreneurs and the owners of small business concerns;

(5) strongly urges the President to take steps to ensure that—

(A) reasonable rules relating to the procurement program for women-owned small business concerns under section 8(m) of the Small Business Act (15 U.S.C. 637(m)) are expeditiously implemented to give women business owners a fair opportunity to compete for Federal contracts;

(B) small business concerns have access to quality affordable health insurance;

(C) the needs of veterans and reservists who own their own businesses, who work for small business concerns, or want to start their own businesses, are met during deployment and upon their return from duty;

(D) proper measures are enacted to provide a stimulus for business lending during this economic downturn;

(E) the tax burdens of small business concerns are reduced, and that there is a reduction in regulatory and bureaucratic barriers;

(F) small minority owned businesses are supported in their efforts to access the Federal marketplace and gain access to capital;

(G) small business concerns have the tools to become more energy efficient to survive rising costs of energy, increase profits, and reduce the Nation's reliance on foreign oil;

(H) all Federal agencies adhere to the contracting goals for small business concerns, including the goals for small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by women, small business concerns owned and controlled by socially and economically disadvantaged individuals, and HUBZone small business concerns;

(I) venture capital and small business loans, including microloans and guaranteed loans that are delivered through private lenders, for start-up firms and growing small business concerns are available to all qualified small business concerns; and

(J) the management assistance programs delivered by resource partners on behalf of the Small Business Administration, such as small business development centers, women's business centers, and the Service Corps of Retired Executives, are provided with the Federal resources necessary to do their jobs; and

(6) urges that the Administrator of the Small Business Administration have an active role as a member of the President's Cabinet.

RECOGNIZING THE 15TH ANNIVERSARY OF THE FOUNDING OF SEEDS OF PEACE

Ms. KLOBUCHAR. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 536 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 536) recognizing the 15th anniversary of the founding of Seeds of Peace, an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict.

There being no objection, the Senate proceeded to consider the resolution.

Ms. KLOBUCHAR. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 536) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 536

Whereas Seeds of Peace, founded by John Wallach, organizes and operates a program that brings together young people and educators from regions of conflict to study and learn about coexistence and conflict resolution;

Whereas Seeds of Peace operates a summer camp in Otisfield, Maine, as well as regional programs around the world, such as the Facilitation Training Course in the Middle East, the Homestay Programs in South Asia, or the International Regional Conferences;

Whereas the first International Conflict Resolution Camp welcomed Israeli, Palestinian, Jordanian, and Egyptian youth the summer of 1993, and the camp has since expanded to involve youths from other regions of conflict, including Greece, Turkey, Cyprus, the Balkans, India, Pakistan, and Afghanistan;

Whereas Seeds of Peace utilizes the summer camp to initiate dialogue between the youth of the United States and youth from various conflict regions to dispel hatred and create religious and cultural understanding;

Whereas hundreds of educators receive training through the regional operations of Seeds of Peace to support and teach peaceful conflict resolution techniques in their classrooms, ensuring that thousands of students around the world are exposed to those techniques;

Whereas Seeds of Peace works to dispel fear, mistrust, and prejudice, which are root causes of violence and conflict, and to build a new generation of leaders who are committed to achieving peace;

Whereas Seeds of Peace reveals the human face of youth who are too often exposed to hatred, by engaging campers in both guided coexistence sessions and ordinary summer camp activities, such as sharing meals, canoeing, swimming, playing sports, and exploring creativity through the arts and computers;

Whereas the Arab-Israeli conflict, as well as India-Pakistan and Afghanistan-Pakistan tensions, are currently at critical junctures, and progress toward peace will be enhanced by the emergence of a new generation of leaders who will choose dialogue, friendship, and openness over violence and hatred;

Whereas Seeds of Peace provides year-round opportunities, through regional programming and the innovative use of technology, to enable former participants to build on the relationships forged at camp, so that the learning processes begun at camp may continue in the participants' home countries, where they are most needed;

Whereas youth graduates of the camp, known as ''Seeds'', currently number more than 4,000, with an additional 567 adult delegation leaders also having completed the camp programming;

Whereas this graduate network receives continued support in promoting professional cooperation;

Whereas Seeds of Peace is strongly supported by participating governments and many world leaders;

Whereas Federal funding for Seeds of Peace demonstrates the recognized importance of Seeds of Peace in promoting the foreign policy goals of the United States; and

Whereas it is especially important to reaffirm that youth must be involved in long-term, visionary solutions to conflicts perpetuated by cycles of violence: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 15th anniversary of the founding of Seeds of Peace;

(2) honors the accomplishments of Seeds of Peace in promoting understanding, reconciliation, acceptance, coexistence, and peace among youth from the Middle East and other regions of conflict around the world; and

(3) recognizes Seeds of Peace as a model of hope for living together in peace and security.

CELEBRATING YOUNG AMERICANS

Ms. KLOBUCHAR. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 538 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 538) designating April 30, 2008 as ''Dia de los Ninos: Celebrating Young Americans,'' and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, it is with great pleasure that I support this resolution designating the 30th day of April 2008 as ''Día de los Niños: Celebrating Young Americans.'' Over the years, the Senate has passed seven similar resolutions in recognition of the young people throughout our country.

Nations throughout the world, and especially within Latin America, celebrate Día de los Niños every April 30th, in recognition and celebration of their country's future, their children. Many American Hispanic families continue the tradition of honoring their children on this day by celebrating Día de los Niños in their homes.

The designation of April 30 as a day to honor the children of our Nation will continue to affirm for the people of the United States the significance of family, education, and community. This special recognition of children will provide them with an opportunity to reflect on their future aspirations and find comfort and security in the support of their family members and communities. This resolution calls on the American people to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies and activities.

I am joined in introducing this resolution by a bipartisan group of Senators that includes Senators MENENDEZ, CRAIG, LUGAR, COCHRAN, BROWN, DURBIN, and CRAPO. I urge the remainder of my colleagues to lend their support.

Ms. KLOBUCHAR. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 538) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 538

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate ''Día de los Niños'', or ''Day of the Children'', on the 30th of April, in recognition and celebration of their country's future—their children;

Whereas children represent the hopes and dreams of the people of the United States and are the center of American families;

Whereas children should be nurtured and invested in to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas, according to the latest Census report, there are more than 44,000,000 individuals of Hispanic descent living in the United States, nearly 15,000,000 of which are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on this day, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on these family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children's Institute, serving as a voice for children, has worked with cities throughout the country to declare April 30 as ''Día de los Niños: Celebrating Young Americans'', a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all its people, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2008, as ''Día de los Niños: Celebrating Young Americans''; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all our people;

(B) are positive and uplifting and that help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another's cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

MEASURE READ THE FIRST TIME—H.R. 5715

Ms. KLOBUCHAR. I understand that H.R. 5715 has been received from the House and is at the desk. I would ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

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

Ms. KLOBUCHAR. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, APRIL 29, 2008

Ms. KLOBUCHAR. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. tomorrow, Tuesday, April 29; that following the prayer and the pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 2881, FAA reauthorization; that all time during any period of morning business, recess, or adjournment count against cloture and the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus lunches.

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

ORDER FOR ADJOURNMENT

Ms. KLOBUCHAR. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order following the remarks of Senator SESSIONS. I wish to again thank Senator SESSIONS. I did not realize that this closing moment would take so long. I appreciate his patience.

The PRESIDING OFFICER. The Senator from Alabama.

ENERGY

Mr. SESSIONS. Mr. President, I thank the Chair and Senator KLOBUCHAR for her comments. These things just take time. I fully understand that.

I would share with her a question as to why we would continue to pour large amounts of petroleum into our Reserve when we are clearly at high, even peak prices that seems to me not a good idea. It would help relieve some pressure on price and on supply if we were to suspend that. I also share her concern that on the world market, we are not in a free marketplace. Those experts who said they thought the price ought to be $50, $55 a barrel, I don't know what the prices ought to be, but I know OPEC meets and decides what the production level will be. As a prosecutor myself, that is a cartel. That is price fixing, as I understand it. Somehow, we need to make it a part of our sustained national policy to stand up to this.

In one sense, what OPEC does when they drive up the price by limiting production, what they are doing is taxing the United States of America. They just decide how much they are going to tax us for the oil we use. One expert has said that the cost of producing a barrel of oil in those fabulous oil sands in Saudi Arabia is less than $10 a barrel. So we see what the profit margin is when it hits $120 a barrel on the world market. Many factors are in it. I know the decline in the dollar and other factors are involved.

But I just want to say that I do think we are moving into a new era of government-controlled oil more than we ever have. Most people think oil companies control it. But recent studies show about 85 percent of oil is owned by nation states. For example, Mexico owns all of its oil and will not allow private industry to participate in its extraction. Because the Government is inefficient and unproductive, their production has fallen, whereas Mexico has huge reserves. Venezuela's production has fallen. Aramco, the Saudi Arabian company, owns theirs, and their production has fallen. As a result, we continue to see shortages on the world market, driving prices up, allowing certain people who are clever and smart and who have invested wisely or aggressively to make billions of dollars.

We have a serious energy problem in the United States. The high costs are impacting the lives of American citizens and farmers and others. There was an article in a local paper—I believe the Mobile Press Register—that I saw today where an individual who has a shrimp boat parked his boat at the dock and said: If the price of shrimp doesn't go up or the price of fuel drop, I cannot make a profit. There is no way I can go out and do this. He docked his boat. There was a similar article in the Florence Times talking about farmers and the increasing cost farmers see from the fuel they use.

Increased demand from India, Southeast Asia, South America, with decreased production around the globe, has created the opportunity for prices and profits to grow for certain people who are wisely positioned.

During my last trip to Alabama for a week, I had townhall meetings and visited with people throughout the State. Energy prices were the No. 1 thing people talked to me about. It is having a real impact on their family budget. The price of regular unleaded gasoline climbed to $3.50 a gallon. A year ago, it was $2.84, and 2 years ago, it was $2.74. That is a 28-percent increase in 2 years. This helps explain the economic doldrums and slowdown we are in. The typical American family with two cars is paying about $750 to $1,000 more per year for the same amount of fuel they were buying the previous year. That represents $70, $80 a month of disposable income that previously they could use for other things for their family. It is now going to buy the same amount of fuel they were using the year before or 2 years before. This represents a huge economic hit to the American family.

There is another adverse, serious problem for America as a nation: More than 60 percent of the fuel we utilize in our vehicles comes from places such as Saudi Arabia and Venezuela and Russia and Mexico, some of which countries are not friendly to us. That represents a $400 billion transfer of wealth on an annual basis from this country. Businessman T. Boone Pickens, in a recent interview in the American Spectator, referred to this as ''the greatest transfer of wealth in the history of mankind.'' That is a pretty smart guy. He is an oil man himself. He said we have to do something about this. It is not something we can just ignore.

Of course, there is no silver bullet to solving the problems, but there are some basic principles we should respect. We must increase supplies in our own country, increase production in our country, which we certainly can do and which I regret to say we have attempted in this Senate and in the House more than once, to be blocked by various groups that seem to complain about high energy prices but don't want to do anything to allow us to produce more in the United States. We must conserve more energy. I supported the increased gas mileage standards which represent a substantial improvement. Maybe we can even do more. We certainly must try to use more biofuels, if we can, although under current technologies, we are reaching the limits. But I think other technology will help us in the future to expand the amount of biofuels we can use. We must use the fuel we have more efficiently.

The Government does have a responsibility to ensure that we have fairness in the world marketplace and in the American marketplace and to make sure these cartels openly fixing the price of oil do not succeed. As I will discuss in a minute, I think we should take a serious look at establishing a policy with regard to diesel fuel. I will mention that in a moment.

I know the problem for gasoline is hitting American families directly. But at this moment, I would like to share some specific thoughts about diesel fuel and those high costs.

Recent spikes in diesel fuel prices don't get a lot of attention in the media, but it has a huge impact on consumers and businessmen and truckers and shrimpers and farmers.

Today, I had the pleasure to meet with six independent truckers who are here in Washington to bring attention to the skyrocketing cost of diesel fuel. They had press conferences, and they talked to a number of people. I invited a group to come to my office.

Over-the-road trucks, 18-wheelers, heavy equipment, and agricultural trucks almost exclusively use diesel fuel. This month, diesel fuel prices climbed to $4.14 a gallon. Two years ago, it was $2.72. That is a 52-percent increase in diesel fuel, substantially greater than the increase in gasoline. That is putting a huge stress on trucking companies—independent truckers, particularly—small businesses, and farming and fishing operations.

Among automobiles and pickup trucks, 98 percent of the people drive vehicles that use unleaded gas. So you might say: I am not a trucker or a farmer. Those prices don't really affect me. But that is just not so, really. There are two ways the market for diesel fuel affects the average person's pocketbook. When diesel prices go up, the cost of transporting goods, consumer products, and food goes up. That increase is passed to consumers. Secondly, we have an opportunity, through improved diesel technology, of making diesel engines cleaner and more efficient than ever before. Mercedes, for example, Daimler-Chrysler, is offering consumers a range of vehicles with its blue tech diesel engine that is built in my home State. So we should spend a few minutes looking at our policies and how they affect diesel prices.

I hope the Energy Committee, of which I am a member, will have some hearings on this issue. It would be worth our having some time set aside exclusively to this problem. Nearly all trucks and delivery vehicles utilize diesel fuel. The price of diesel fuel affects our country in so many ways. Trucking currently uses 75 percent of the total diesel fuel used in the United States. Only 3.5 percent of the automobiles in America use diesel. But in Europe, approximately 50 percent of the automobiles are diesel. And in the United States, one action we took that may have had some impact on not using so much diesel fuel but had a good impact, perhaps, for the environment was to demand very clean, low-sulfur diesel fuel. Our diesel fuel is lower sulfur than the Europeans, and that is because of environmental reasons.

But did you know this? Diesel automobiles run approximately 30 percent farther on diesel fuel than similar gasoline-powered automobiles. Diesel engines get 30 percent better mileage than gasoline engines. Diesel-powered automobiles also get more miles per gallon even than hybrid automobiles, or about the same. Some insist it is better, but they are pretty much equal. In addition to being fuel efficient, diesel-powered automobiles emit fewer CO_2 emissions than similar hybrid and gasoline engines. A lot of people don't know that. Of course, that is why 50 percent of the automobiles in Europe, which has analyzed this more carefully than we, it appears, are now diesel. The European Union has emphasized diesel engines because it takes 30 percent less fuel to run a diesel engine.

The average price of diesel fuel used in motor vehicles has historically been lower than the price of regular gasoline. According to the Department of Energy, the average price of diesel has been higher than gasoline since 2004—as a matter of fact, substantially higher.

So for some reason, even though diesel fuel traditionally has been less expensive and requires less refining effort than gasoline, it has been averaging 64 cents a gallon more than gasoline.

Now, like I said, I believe in a free market. I am loathe for the Government to intervene. But let me ask this question: Why is that? Why? Why would a product that should be cheaper be consistently, since 2004, more expensive than the other product? I, frankly, do not know. But it does appear our country has made a determination to shift to a gasoline economy and a hybrid economy.

I think it is fabulous we are utilizing large numbers now of hybrid vehicles—large numbers. We certainly have enough on the roads today to be able to find out how well they work, to make their capabilities more sophisticated, to improve their lifespan, to improve their efficiency, to work out the bugs.

A lot of people are finding that the savings in gas alone will help pay for the somewhat more expensive hybrid engine. So I am not against the hybrid engine, and I am delighted we are leading the world in the effort to utilize hybrid engines.

What I am asking is, how have we gotten ourselves in a situation in which the less expensive diesel fuel, that gets 30 percent better gas mileage, is not readily available and is costing 64 cents more a gallon? Something is awry as far as I can see.

I say, let's get busy. Let's do something about it. Let's stand up to OPEC. Let's use every political influence and pressure we have to encourage them to increase productivity to reduce these shortages. Let's stop, at least temporarily, depositing to the petroleum reserve. Let's expand biofuels, and particularly biodiesel, which is a fabulous fuel that, unlike ethanol, is just as productive as diesel fuel and actually is even cleaner than diesel fuel.

We need to figure out how to get more production domestically from our own reserves. I will not go into the arguments we have had about ANWR, all the oil shale in the West, and offshore drilling. We simply have not done enough of it, and we still have large reserves available to us in this country. So when those reserves are produced, that wealth does not go to foreign nations but is kept within the United States, creating jobs in our country.

So we need more production, and we need to look at this question of refineries. I do not know what the problem is, but we need to ask some questions. I have already asked the Congressional Research Service and the Department of Energy some questions. But I intend to look at this more as to why we do not have sufficient diesel fuel being produced in the country and we continue to have shortages of it.

So that is what I think we need to do. I am not unaware and I understand completely that the surging cost of energy impacts working Americans directly. It hits their pocketbook. Those are the people who have the least disposable income, and it is like a hidden tax.

Yes, oil is more valuable today than it was. Mr. T. Boone Pickens, in his article, said he thought we were at a peak oil situation in the world while demands are going up worldwide. I do not know that we are yet at a total peak. I doubt we are, frankly. But we are getting close to that. So the oil is just a more valuable product. I understand that. But we need to execute the policies we know will work to help contain the price increases that are hurting Americans.

I will add this one thought: We need to be careful about cap and trade and other pieces of legislation that focus solely on CO_2 emissions because we know those actions and those pieces of legislation will only drive the cost of fuel higher. According to the Environmental Protection Agency, which has just completed a study of the cap and trade bill that the Environment and Public Works Committee just reported to the floor a month or two ago, that bill would raise the price of gasoline 50 cents a gallon. It could raise the price of electricity maybe as much as $100 a month for a family. Who is going to pay that?

So we have to be very careful when we pass cap-and-trade, global-warming-type legislation, that when we do, we do not dump huge costs on working Americans, on low-income Americans which they do not deserve and they are not justified. So I think that is a matter we will need to consider in the weeks to come.

I thank the Chair. I appreciate the opportunity to share these remarks. I appreciate very much the truckers who were in my office today. I enjoyed talking with them. They told me stories of people who are having to park their trucks and not being able to continue to work. They told me stories of people who were going to go into bankruptcy; they could not continue to make their payments.

So it is not an academic matter. It is a very real thing. We need to take action consistent with our great heritage of freedom in our country to see what we can do to confront this rising cost of energy.

I thank the Chair and yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned under the previous order until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:51 p.m., adjourned until Tuesday, April 29, 2008, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ERIC L. BLOOMFIELD
DEBORAH L. MUELLER

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JIMMY D. SWANSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RONALD J. SHELDON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT S. MCMASTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHRISTOPHER S. KAPLAFKA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHARLES E. A. BAKER
LAWRENCE D. HILL
MICHAEL K. PRICE
RICHARD N. SOUCIE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

RAYMOND E. CHARTIER, JR.
WILLIAM H. NISLEY II
ERIC J. TREHUBENKO
ROBIN D. TYNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT C. BUZZELL
DIEGO R. CORRAL
CLAUDE V. GALLUZZO
PATRICK R. HOLLEN
HONG C. KIM
EDUARDO E. WHEELER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

KEVIN G. AANDAHL
JEFFREY A. BRESLAU
EDGAR D. BUCLATIN
JANE E. CAMPBELL
HERMAN M. PHILLIPS
LYDIA R. ROBERTSON
DAVID E. WERNER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DAVID A. BONDURA
LINDA M. HUNTER
ALAN F. KUKULIES
JILL M. T. NEWTON
JOHN C. POST
JAMES V. STEVENSON
WILBURN T. J. STRICKLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JON D. ALBRIGHT
CHRISTOPHER J. KENNEDY
ARTHUR P. PRUETT
JOHN C. SMAJDEK
NEIL E. WILLIAMS
MICHAEL W. ZARKOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JAMES E. AULL
ANDREW L. CALDERA
BARBARA J. CODER
RONALD C. COPLEY
STEWART W. HOLBROOK
CARL R. INMAN
THOMAS W. JOHNSON
ANTHONY LAVECCHIA, JR.
CHRISTOPHER J. PAGE
ANDREA POLLARD
DAVID C. PORCARO
LAWRENCE J. STEIN
RICHARD M. STEVENSON
MICHAEL V. TREAT
DOUGLAS B. UPCHURCH
EDWARD B. WARFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTIAN D. BECKER
RICHARD A. BURR
ANDREW L. CIBULA
JOHN K. GREEN, JR.
MICHELLE A. GUIDRY
ROGER W. LIGON
STEVEN D. NAKAGAWA
LUIS M. RAMIREZ
ELISA A. RANEY
ANDREW W. SWENSON
ANDREW J. WILLIAMS
DONALD L. ZWICK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

WILLIAM J. BROUGHAM
ROBERT A. CROWE
ALVARO F. CUELLAR
PHILLIP E. DAWSON III
MICHAEL W. GILL
PATRICIA A. GILL
WILLIAM C. GREENE
DIDIER A. LEGOFF
MARTIN RODRIGUEZ
JAMES W. SCROFANI
DOUGLAS W. SMALL
WILLIAM R. TATE
CHRISTOPHER L. WARREN
JOHNNY R. WOLFE, JR.
JEROME ZINNI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

VORESA E. BOOKER
CHARLES B. CAMERON
ROBERT J. FINK
ELIZABETH S. HOSTETLER
KATHLEEN M. JANAC
CARL K. KLOTZSCHE
ANN R. KUBERA
THOMAS H. MACRAE
TERIANN SAMMIS
ROBERT C. WEITZMAN
PAT L. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DANELLE M. BARRETT
EUGENE D. COSTELLO
KATHLEEN M. CREIGHTON
BRUCE R. DEMELLO
CARRIE A. HASBROUCK
SANDRA M. JAMSHIDI
JOHN L. MACMICHAEL, JR.
VICTOR S. MALONE
SCOTT A. MARGULIS
LOURDES T. NEILAN
THOMAS E. ONEILL IV
JOSEPH B. SPEGELE
BOYD T. ZBINDEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER P. ANKLAM
JEFFREY G. AUSTIN
JOHN D. BAMONTE
GRADY T. BANISTER III
JOHN T. BEAVER, JR.
STEVEN M. BENKE
MICHAEL D. BERNACCHI, JR.
STEVEN G. BETHKE
SCOTT R. BISCHOFF
CHRISTOPHER E. BOLT
ROBERT A. BORCHERT
MICHAEL E. BOYLE
DANIEL E. BOYLES
THOMAS P. BRASEK
VOLTAIRE H. BRION
BRADFORD L. BROWN
MARSHALL B. BROWN
WESLEY A. BROWN
MICHAEL BUCHANAN
DAVID L. BURNHAM, JR.
JOHN J. BURNHAM
WILLIAM S. BUTLER
JAMES W. BYERLY
WILLIAM D. BYRNE, JR.
ANTHONY F. CALIFANO
WILLIAM R. CAMPBELL
MICHAEL A. CARAMBAS
JOHN P. CARTER
DERMOT P. CASHMAN
EDWARD B. CASHMAN
CHARLES J. CASSIDY
NELSON C. CASTRO
CHARLES T. CHASE
SHOSHANA S. CHATFIELD
ANTHONY P. CHATHAM
CARL P. CHEBI
JOHN M. CLAUSEN
JAMES P. CODY
CARL R. CONTI II
JOHN M. COTTINGHAM
KEVIN M. COYNE
TODD W. CRAMER
HANS K. CROEBER
DAVID A. CULLER, JR.
DAVID C. CUTTER
MICHAEL C. DAVIS
GREGORY E. DAWSON
GEOFFREY G. DEBEAUCLAIR
WILLIAM W. DEBOW
JOSEPH A. DELEON
MOISES DELTORO III
JAMES H. DICK
JAMES J. DUKE, JR.
GREGORY T. EATON
EDWARD W. EIDSON
BURT L. ESPE
JOHN M. ESPOSITO
PAUL M. ESPOSITO
JOSEPH H. EVANS
SCOTT R. EVERTSON
TIMOTHY C. FALLER
JOHN P. FEENEY, JR.
RANDY A. FERGUSON
JAMES J. FISHER
SCOTT J. FISHER
DALE G. FLECK
DAVID P. FLUKER
JOHN V. FULLER
ARTURO M. GARCIA
ROBERT N. GEIS
DAVID A. GEISLER
STEPHEN M. GILLESPIE
HOWARD S. GOLDMAN
MICHAEL V. GOSHGARIAN
DAVID M. GROFF
MARK B. GUEVARRA
SCOTT F. GUIMOND
RICHARD E. HAIDVOGEL
IAN M. HALL
STEVEN E. HALPERN
KENNETH T. HAM
CHRISTOPHER L. HARKINS
GREGORY N. HARRIS
MICHAEL A. HEGARTY
ROBERT N. HEIN, JR.
ERIC J. HENDRICKSON
WILLIAM A. HESSER, JR.
KIRK R. HIBBERT
NELSON P. HILDRETH
JAMES R. HITT
SCOTT M. HOGAN
MICHAEL P. HOLLAND
ALAN W. HOLT II
PATRICK T. HOLUB
MARC D. HOMAN
DAVID A. HONABACH
ROBERT S. HOPKINS
SCOTT D. HORADAN
MICHAEL J. HORSEFIELD
JAMES E. HORTEN

JAMES F. HRUSKA
ROBERT E. HUDSON
DAVID W. HUGHES
BRIAN N. HUMM
RODNEY E. HUTTON
KENNETH A. INGLESBY
THOMAS E. ISHEE
JEFFREY T. JABLON
STEVEN M. JAMES
WILLIAM D. JOHNS
ERIK N. JOHNSON
KURT B. JOHNSON
MARK A. JOHNSON
MARK S. JOHNSON
NEIL A. KARNES
SHANNON E. KAWANE
PATRICK M. KELLY
KYLE R. KETCHUM
TODD A. KIEFER
THOMAS K. KISS
JOHN KROPCHO III
ERIC R. KYLE
JAMES W. LANDERS
GEORGE E. LANG, JR.
TIMOTHY K. LANGDON
BRADLEY LEE
HOWARD F. LENWAY
FRANK S. LINKOUS
CHARLES E. LITCHFIELD
ANDREW J. LOISELLE
RANDALL L. LOVELL
JAMES D. MACY
DAVID G. MANERO
VINCENT R. MARTINEZ
TODD H. MASSIDDA
LOUIS E. MAYER IV
GARY A. MAYES
WILLIAM P. MCKINLEY
KENNETH J. MCKOWN
RUSSELL T. MCLACHLAN
STEPHANIE MILLER
HUGH E. MILLS, JR.
SCOTT A. MINIUM
GARNER D. MORGAN, JR.
JAMES M. L. MORGAN
BRADFORD S. NEFF
PETER R. NETTE
MICHAEL D. NEUMANN
JAMES P. NICHOLS
FREDRICK J. NIELSEN
DEAN T. NILSEN
CATHAL S. OCONNOR
BRIAN P. ODONNELL
JAMES D. OLEARY II
DARREN M. OLSON
VICTOR M. OTT
EDWARD E. PALMER III
EUGENE F. PALUSO II
BOBBY J. PANNELL
SAMUEL J. PAPARO, JR.
ANTHONY J. PARISI
GEORGE B. PARISI
EVERETT S. PRATT
GREGORY B. PRENTISS
CHRISTOPHER G. RAPP
ROBERT E. RASMUSSEN
RONALD L. RAVELO
TIMOTHY D. REYNOLDS
CHRISTOPHER A. RHODEN
JOHN C. RING
JOHN F. RINKO
BRADLEY W. ROBERSON
JOHN L. ROBEY
CHARLES W. ROCK
JAMES A. ROICK
PHILIP H. ROOS
TIMOTHY P. RUDDEROW
ROBERT W. SANDERS
TERESA S. SANFORD
THOMAS C. SASS
PAUL E. SAVAGE
DANIEL J. SCHEBLER
RYAN B. SCHOLL
THOMAS P. SHAW
PATRICK O. SHEA
BENJAMIN A. SHEVCHUK
STEPHEN A. SHINEGO
EUGENE P. SIEVERS
DAVID J. SILKEY
DAVID W. SOMERS III
ROBERT C. SPARROCK
PAUL D. SPEAR
JOHN P. SPRINGETT
JOHN F. STEINBERGER
MICHAEL S. STEINER
WILLIAM L. STEVENS
MARK A. STURGES
WILLIAM H. SUGGS, JR.
SCOTT C. SWEHLA
TERRY R. TAKATS
MICHAEL J. TAYLOR
DOUGLAS J. TENHOOPEN
RICHARD E. THOMAS
RITCHARD R. THOMPSON
ARTHUR F. TRAHAN, JR.
OWEN M. TRAVIS
JOHN L. TREFZ, JR.
KAREN A. TSIANTAS
MARK L. TURNER
JEFFREY S. TYER
MARK S. VANYE
JOHN M. WEEKS
DAVID A. WELCH
BRIAN D. WHITTEN
SUNITA L. WILLIAMS
TED R. WILLIAMS
RICHARD K. WOOD II
DAVID L. WOODBURY
RICHARD A. WORTMAN
ERIK C. WRIGHT
JAMES R. WYATT
THOMAS M. YAMBRICK
STEVEN J. YODER

WITHDRAWAL

Executive message transmitted by the President to the Senate on April 28, 2008, withdrawing from further Senate consideration the following nomination:

GEORGE A. KROL, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN, WHICH WAS SENT TO THE SENATE ON JUNE 27, 2007.