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Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Eternal God, our judge and redeemer, who orders our steps and directs our paths, use our Senators today as instruments of Your will. Commission them to meet the perils and possibilities of our times, humbly and courageously. Lord, deliver them from insulating privilege that obscures humanity's needs, as You keep them from pride that scorns to do the servant's task. Make them Your agents to restore those who are broken in body and spirit. Empower them to be messengers of hope to those from whom hope is gone. Use our lawmakers to bring a new day of justice and peace to our Nation and world.

We pray in Your omnipotent Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader time, the Senate will resume consideration of the conference report to accompany the Food, Conservation, and Energy Act, H.R. 2419. There will be 90 minutes for debate on the conference report.

I might add in passing that Senators worked until about 11 o'clock last night on this important piece of legislation.

The Senate will vote on any motions relating to the conference report prior to a vote on its adoption. Senators should expect the first vote of the day to begin about 11:05, 11:10, depending on how long Senator MCCONNELL and I take. Upon disposition of the conference report, we expect to begin the process of appointing conferees to the budget resolution conference. Senators should expect rollcall votes to occur throughout the day.

I would note that there is a 1 p.m. filing deadline for first-degree amendments to the collective bargaining legislation, H.R. 980.

As I mentioned last night, when we finish adoption of the conference report, it will be up to Senators JUDD GREGG and KENT CONRAD to determine how many motions will be filed to instruct conferees. Other Senators can do that, of course, but it would have to be through the two managers. There is a total of 10 hours on that. We would hope that time could be shortened significantly. We are going to finish that tonight, the appointing of conferees.

I have spoken to Senator DORGAN. We have the media cross-ownership matter that he has proceeded forward with under a statute Senator Nickles and I passed in the early 1990s. The statutory time limit on that is 10 hours. Senator DORGAN told me last night that he would take 1 hour. I would hope others wouldn't take much more time than that. That being the case, there is an opportunity to finish that tonight. I hope that is the case. Otherwise, we would finish that tomorrow.

Tomorrow, we have scheduled now a cloture vote on the collective bargaining matter we worked on this week. As I indicated last night, we are going to see if Senators KENNEDY and GREGG can work something out on that, along with the comanager of the bill, Senator ENZI. If they can give us some way to proceed to complete that, maybe we can work out a unanimous consent that we wouldn't have to do the cloture vote. I think the ability to do that is somewhat slim, but I never give up hope. It might be possible.

The point being, we have a lot to do. We are going to work late tonight unless there is some agreement that shortens the time significantly on the appointing of conferees and the cross-ownership issue dealing with the Dorgan proposal. I think that is what we have ahead of us.

The reason I am making sure we complete everything this week, the House is going to pass, sometime today, the supplemental. We have no votes on Monday. I would hope we could start maybe on that issue on Monday because we would like to do some other things next week. But that is a big issue to deal with. The House can jam things through, as we all know, because they have different rules than we do. But over here we have to follow our rules, which are not the

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House rules. So one of the first things we will do when we see what the House finally does, because we don't know yet, is I will sit down and talk to the Republican leader and find out if there is a way we can proceed to allow people to do what they think is necessary on the bill but at least make it so it is more understandable and we are not here this coming Friday, a week from tomorrow, 8, 9 o'clock at night, still trying to figure out what we are going to do on that. As contentious as this matter is, I would like to have an orderly process on which to move forward.

RECOGNITION OF THE MINORITY LEADER

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

SUPPLEMENTAL APPROPRIATIONS

Mr. McCONNELL. Mr. President, I think most of the items the majority leader mentioned we should be able to move to completion on. There remains a good deal of concern on this side about the way in which procedurally we are going to go forward on supplemental appropriations. But having said that, it certainly is an important piece of legislation. I am sure we will get to the end of the process at some point next week.

HONORING OUR ARMED FORCES

CORPORAL JOSEPH H. CANTRELL IV

Mr. McCONNELL. Mr. President, I rise today to pay tribute to the undaunted courage and fighting spirit of one soldier from the Commonwealth of Kentucky. CPL Joseph H. Cantrell IV was lost on April 4, 2007, in Taji, Iraq, when an improvised explosive device detonated near his vehicle during combat operations. The Westwood, KY, native was 23 years old.

For his valor in uniform, Corporal Cantrell received several awards, medals and decorations, including the National Defense Service Medal, the Army Commendation Medal, the Bronze Star Medal, and the Purple Heart.

After Corporal Cantrell was gone, his mother, Sondra Adkins, met a woman at a hospital who said that her nephew was also a soldier. He had been wounded and then saved by an Army medic, and now was going to name his son after the medic who had treated him. That medic's name was Joey.

''My son saved her nephew's life,'' Sondra reveals.

Those who knew Joey growing up in Boyd County, in northeastern Kentucky, were not surprised at the impact the young man could have on others. Sondra remembers when an excited Joey called her to say ''there is nothing more beautiful than bringing a baby into the world.''

''By chance, he got to deliver a baby during his Army training,'' Sondra says. ''He was high on life that day. That wasn't a planned event. He called and said, 'You're not going to believe this . . . I got to deliver a baby.' ''

Joey was an Army medic who saved lives in Iraq. He brought the same enthusiasm to his job that he once had as a child who would dress up in camouflage and green paint on Halloween and go out as ''G.I. Joey.''

At Westwood's Fairview High School, Joey was a member of Who's Who and the National Honors Society, and played football and ran track.

''I didn't want him to run track because he was so short,'' Sondra recalls. ''The hurdles came up to his hipbone. But he could clear those hurdles and come out . . . as the best hurdle jumper. . . . Track was his calling. He could flat-out fly.''

Joey's dad, Joe Cantrell, remembers eating lunch with his son just before a big hurdle race. ''We went to eat and Joey told me, 'Dad, I'm going to win this because they don't think I can,' '' Joe says. ''When the gun went off, all they saw was his back end. When he'd get his confidence built up, he was fun to watch in sports.''

''Joey had the perfect life in high school,'' Sondra adds. ''Dating the head cheerleader, excelling on the football team. He was very outgoing.''

Joey graduated from Fairview in 2002, and attended Ashland Community College. One day he came to his mother and said, ''Mom, I have something to prove.''

''I said, 'You don't have anything to prove to anybody,' '' Sondra says. ''He replied, 'You're right. I have to prove this to myself.' I was prepared for my son to move out, but I wasn't prepared for my son to live halfway around the world.''

Joey enlisted in the U.S. Army on March 31, 2005. ''He joined the Army to see how high he could fly without someone to catch him,'' his father, Joe, says. ''There was no quit in him.''

Joey was assigned to the 2nd Battalion, 8th Cavalry Regiment, 1st Brigade Combat Team, 1st Cavalry Division, based out of Fort Hood, TX, and in October 2006, he was deployed to Iraq in support of Operation Iraqi Freedom.

One day he called his mom from Iraq after saving a fellow soldier's life. ''Mama, the only thing the soldier was worried about was if he would be able to walk again and continue serving his country,'' he told her.

''He loved his job,'' Sondra adds. ''They're out there to do a job just like all of us—but theirs is the most dangerous of all.''

Joe says that Joey eventually wanted to study sports medicine. Sondra recalls Joey wanting to be a doctor, perhaps an obstetrician.

On the day of Joey's funeral, students from the local schools lined up alongside the road holding flags to watch the procession drive by. ''I couldn't believe the turnout from the community,'' Sondra says. The city of Westwood dedicated Main Street in Joey's memory.

Mr. President, our prayers are with the Cantrell family after their tragic loss. We are thinking of Joey's mother, Sondra Adkins; his father, Joe Cantrell; his brother, Chase Adkins; his stepfather, Bryan Adkins; his grandmother, Pehylien Mullins; his aunts Anita Hollo, Jeannie Mullins, Elisa Lambert, and Janie Hill; and other beloved family members and friends. Joey was predeceased by his grandfather, Claude Mullins.

At Boyd County High School in Ashland, a teacher named Mary Beth Leadingham Patton started ''Project Joey.'' Mary Beth is an old friend of Joey's mother, Sondra.

''She was one of the first visitors to come to my house to see my Joey when he was born,'' Sondra recalls.

Project Joey is simple: When Mary Beth's kids pass someone in uniform, they stop and say thank you.

''Those young men and those young women—we truly do not know what they've had to see in their lives,'' Sondra says. ''We should always be thankful that we have someone who's gone that extra mile for all of us.''

Sondra, of course, does know some of what our men and women in uniform have seen, as she watched her little Joey grow into a man, a patriot and a dedicated soldier.

And although he is gone, it is not too late to thank CPL Joseph H. Cantrell IV. This United States Senate is honored to pay tribute to his life of service, and we pause with reverence for the sacrifice he made on his Nation's behalf.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. 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.

RESERVATION OF LEADER TIME

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

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report accompanying H.R. 2419, which the clerk will report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, as I understand it, there will be 3 hours evenly divided.

The ACTING PRESIDENT pro tempore. Ninety minutes, evenly divided.

Mr. HARKIN. I am sorry, an hour and a half—45 minutes on each side—and then we will proceed to start voting on the farm bill.

We had a great debate last night. I appreciate all the Senators who came over and spoke so forcefully and favorably for this bill. There are a few more speakers who want to speak this morning, and then we will have a little bit of a wrap-up again.

Mr. President, I yield the floor for others who want to start speaking on the farm bill.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I again thank Senator HARKIN for his leadership on this issue. We did have a good, long debate last night, and a number of folks had an opportunity to come over and voice their opinion about the bill. We look forward to wrapping this up this morning and having a vote, hopefully, around 11:15, 11:30.

I urge those folks who want to speak—we have had a number who have indicated they wish some time. Obviously, we are pretty squeezed with a compacted morning this morning, so folks need to make their wishes known and be here to be ready to speak.

I wish to start off by recognizing the Senator from Idaho, who has been a critical asset to us with respect particularly to the specialty crop section in this farm bill. I ask the Chair to recognize Senator CRAIG for 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, it gives me great pleasure to come to the floor in the final hours of the debate over agricultural policy in this country and to, first and foremost, thank the two principals, who are here on the floor, the chairman and ranking member of the Senate Ag Committee. They have done yeoman work in a very difficult process—15 titles and 673 pages of policy—in what is, without question, one of the most complicated efforts at putting public policy and interest groups within the agricultural community together in some degree of harmony. I thank my colleagues for the work they have done.

Mr. President, I will be brief, as I have already come to the floor several times to discuss the valuable programs included in this bill. But I would be remiss not to take the opportunity to thank my colleagues—and this Congress—for producing a good product for the American people.

We have been ''tangled in inaction'' on so many issues. The American people want a functional Congress.

The 2008 farm bill conference report represents a monumental feat for the U.S. Congress. Every 5 years, we undertake the task of reauthorizing our farm policy. This version includes 15 titles; 673 pages.

Though some who have not yet served on an agriculture committee during the reauthorization of a farm bill may disagree, let me assure you this is one of the most complicated pieces of legislation considered by Congress, and it is also one of the most important.

In an age of skyrocketing energy prices, economic uncertainty, and now a global food crisis, there is at least one thing we should be able to be certain of: our Nation's food security. We cannot take for granted our ability to feed ourselves, lest we become dependent on other countries for our food in addition to our oil.

How do we achieve food security? Here are a few key principles.

First and foremost, we enact policy designed to keep our food producers productive and profitable, and ensure access to those foods for all Americans. This includes things such as a safety net to protect farmers from volatile price swings; and nutrition programs that give access to fresh fruits and vegetables in schools.

We enact policy that incentivizes state-of-the-art conservation practices to encourage the best possible stewardship of our agricultural lands. This will ensure these lands stay productive and profitable for future generations. And we enact policy that helps American agriculture continue to diversify—including becoming a larger player not only in our food security, but also in our energy security.

This bill does just that. This bipartisan work product—aptly named the Food, Conservation and Energy Act of 2008—sets a strong and secure direction for our food, conservation and energy future.

The bill has broad support from virtually every corner of my State of Idaho, and every corner of the Nation.

Congress has heard from rural farmers to urban food banks calling for passage of this vital piece of legislation.

Mr. President, 500 farm, conservation, nutrition, consumer, and religious groups sent a letter supporting passage of the farm bill conference report.

These groups—with one voice—recognized that the bill ''makes significant farm policy reforms, protects the safety net for all of America's food producers, addresses important infrastructure needs for specialty crops, increases funding to feed our nation's poor, and enhances support for important conservation initiatives.''

It is not a perfect bill—we all will admit this—but it is a great bill. I commend my colleagues for their work.

The President has stated his intention to veto this bill. It is not often that I so strongly disagree with our Commander in Chief, but on this I must. There are too many great things in this bill to deny its passage over a few areas of disagreement, too many important things for my State of Idaho, and for the Nation.

We began several years ago to ensure that specialty crops were adequately recognized in this new farm bill. We now have a new title devoted to horticulture and organic agriculture. It dedicates approximately $3 billion for specialty crop, pest and disease, nutrition, research, trade and conservation priorities important to this vital industry that represents nearly half of all crop cash receipts in our country, including: $466 million for Specialty Crop Block Grants to support local efforts to enhance competitiveness of local products; $1 billion to expand the Fresh Fruit and Vegetable Snack Program to all 50 States—which will help our school children develop healthy eating habits; $377 million for a pest and disease program to combat costly damage to crops such as our famous potatoes; $230 million for the Specialty Crop Research Initiative to address food safety, mechanization, plant breeding, and other priorities; $59 million for trade assistance and market promotion to maintain and grow our international markets; and many other programs.

Idaho's famous potatoes, our burgeoning table grape and wine grape industry, our apples and onions and carrots and nursery and ornamental crops—and this just touches the surface of both our current production and our potential to continue to diversify.

Now, it should be noted that this is only one part of the effort to ensure the competitiveness of our specialty crop industry. The next step is to ensure that we have an adequate workforce to conduct the labor in which the average American refuses to participate. The harvesting of those healthy fruits and vegetables—this, I contend, is as important, or more important, than these ''competitiveness'' priorities that we have finally set forward in the farm bill. So our work is not done.

And I could go on for a great deal of time, talking about: the commodity programs that create a vital safety net for our wheat, barley, peas, lentils, chickpeas, oilseeds, sugar, wool producers, and so on; the conservation programs that will help Idaho's booming dairy industry address environmental challenges associated with their growth, and our crop producers to incorporate better stewardship practices; the nutrition programs that are vital to improving the health of our youth; the rural development programs that will ensure funding for things such as water and wastewater programs, broadband, and rural housing; the energy programs that will help us reach the 36 billion gallon RFS by creating new incentives for cellulosic ethanol and beginning to pare down the subsidy for corn-based ethanol; the wildlife programs, such as the provision authored by my colleague from Idaho, that creates incentives for endangered species recovery; the forestry, trade, credit, disaster programs.

Those programs that will benefit the Nation—and my State of Idaho in particular—are simply too vast to cover.

I thank my colleagues once again, and urge support for this vital piece of legislation.

I will now speak, again, specifically to Idaho and to the specialty crops provision that Senator SAXBY CHAMBLISS spoke to that is now a very important part of agricultural policy.

We know specialty crops are about 51 percent of the gross revenue of American agriculture, and yet they were never mentioned in agricultural policy from a Federal level. Oh, yes, we had research and experimental programs, and we targeted money into the specialty crop area, but the program crops—those kinds of base crops we think about, be it cotton, soybeans, corn, wheat—all of those were the staples, if you will, of American agriculture, while today they do not represent the majority of the portfolio.

That is why several years ago I thought it was critically important we begin to work to include a specialty crop title. So we began that effort. Today, we have completed that effort with the help of these two Senators and a broad-based coalition to now have a title devoted to horticulture and organic agriculture.

In my State of Idaho, specialty crops are a big deal. Many people have heard about potatoes and Idaho. It is almost synonymous in the minds of the average American. Yet, by definition, that is a specialty crop. Is this a loan guarantee? No, it is not a loan guarantee. It is an effort to advance specialty crops in a variety of ways: specialty crop grants to enhance competitive local markets; expanding the Fresh Fruit and Vegetable Snack Program in our high schools and grade schools in all 50 States; pest and disease management control; research programs in these areas; initiatives for food safety, mechanization, plant breeding and priorities to keep our edge, if you will, our world-class edge in the area of specialty crops; along with trade assistance and market promotion.

That is a full title. Not only did these two Senators—our chairman and ranking member—who led the effort for us, get this in the bill, they also got money behind it. Frankly, I thought maybe we would have to go the first 5 years simply authorizing the program and then beginning to fund it. But there is now substantial money behind it. It will go a long way toward helping the specialty crop areas and organic agriculture in the kind of farming many of our agricultural areas are moving into.

When you get at the edge of urbanization and agriculture and agricultural farmland, boutique farming, small specialty crop farming oftentimes becomes the transitional form of agriculture. To keep it profitable on the land, so we can keep the land in agricultural production, is very important, and I think that is offered in all of this.

I also thank my Idaho colleague, MIKE CRAPO, who has worked a long while on making the Endangered Species Act and those private properties that care for endangered habitat—to have a relationship, to have an advantage, to incentivize landowners to appreciate the reality of having an endangered species on their property. He has done that. Our colleagues have recognized it. It is very important we do that.

I could go on a great deal more about the programs that are there: the commodity programs that create a vital safety net for our wheat, barley, peas, lentils, chickpeas, oil seeds, sugar, wool products, and so on; conservation programs that are adjusted and important.

A great deal of effort has been focused on energy over the last several years and agriculture's role in that. It is not by accident that this bill has a title that recognizes energy, and that being a part of—a very valuable part of—American agriculture. To transition dollars out of a mature market in corn-based ethanol into cellulosics is a major step and a correct step in the right direction.

My time is up, but I want to thank my colleagues for the effort at hand. We had a solid vote out of the House last night. I think we are going to have a strong vote in the Senate today on this conference report.

Let me say in closing, to the White House and to our President: Mr. President, you and your people have been at the table working on this program with us for well over a year. It is time you recognize the value of this program, what has been put into new agricultural policy, and support us in that effort.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield 5 minutes—and maybe more if he needs it—to the Senator from North Dakota, who has been so instrumental in getting us to this point.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I thank the Acting President pro tempore, and I especially thank the chairman of this committee, Senator HARKIN. I said last night that without his vision, we would not have a vehicle of this quality that is this forward looking. I think now of the chairman of the committee as the father of a new conservation movement in this country because it was the steady pressure from the chairman of the committee that has pushed us in a new direction for farm policy, one far more oriented toward conservation. I believe in future years Chairman HARKIN will be looked upon as somebody who led a fundamental reorientation of agriculture policy, and he will be recognized as someone who broke the path for this new direction, and he deserves enormous credit for it.

I also again thank the ranking member, Senator CHAMBLISS, who is a pro's pro. If ever you were to want a partner in a very complicated endeavor, one in which trust among colleagues was absolutely essential to an outcome, you would want Senator CHAMBLISS involved because his word is like gold. All of us who have dealt in difficult negotiations know how critically important that is.

I also salute his superb staff: Martha Scott Poindexter, and Vernie Hubert, who played such a critical role in advancing this legislation. At the same time, I want to recognize the staff of the chairman: Mark Halverson, who I said last night has actually gone gray in this exercise—that is how much he has put into it—and Susan Keith, who has played a central role in the developing of the policy, deserves our credit as well.

I also recognize Senator BAUCUS, the chairman of the Senate Finance Committee, for the extraordinary contribution he has made throughout. He has provided the kind of leadership you would hope for in an endeavor of this complexity, and I will be forever in his debt for what he has done for not only production agriculture but what he did to construct the financing of this bill that made it possible to achieve widespread bipartisan support.

Certainly I thank his ranking member, Senator GRASSLEY, who played such a critical role as well.

I conclude my thank-yous by again thanking my staff: Tom Mahr, my legislative director, who is exceptional and extraordinary and whose intelligence and good judgment have made such an important contribution to this result; and certainly to my lead negotiator, Jim Miller, who, as I said last night, is encyclopedic in his knowledge, but also wise in his construct of policy, and especially in his dealing with people, including me. Jim, I deeply appreciate the extraordinary sacrifices you and your family have made to help us write this bill. And finally, I thank Scott Stofferahn, my other lead negotiator, who also has a deep knowledge of farm policy, and who played such a key role in the disaster provisions that themselves represent significant reform.

Let me conclude by saying: Why a bill at all? Well, because our major competitors have much more ambitious support for their producers than we have for ours. This is a fact. The Europeans are providing more than three times as much support to their producers than we provide to ours. If we pulled the rug out from under our producers, it would be a calamity for farmers and ranchers in this country. Where does the money go? Well, this chart shows it I think as well as any could. Two-thirds of the money in this bill goes for nutrition. This is misnamed when we call it a farm bill. This is a food bill. This is an energy bill because it helps reduce our dependence on foreign energy, a critically important priority for this country, and it is a conservation bill. Conservation of our natural resources is critically important to the future.

The other point I wished to make in conclusion is that this bill is paid for. It is pay-go-compliant. These are not my estimates; these are not the Agriculture Committee's estimates, these are the professional estimates of the Congressional Budget Office and the Joint Committee on Taxation, which show this budget saves $67 million—not a lot of money, but nonetheless it does not add to the deficit; in fact, it slightly reduces it. It saves $67 million over 5 years, and it saves $110 million over 10 years. It is completely paid for with no tax increase.

Final point: I received last night from the IRS what I think is a very interesting set of facts. We have seen reported in the mass media that a couple could earn $2.5 million and still get benefits. Well, that is akin to the chance of getting struck by lightning because it turns out there are no tax returns in the entire country between $1 million and $1,250,000 that would have farm income below $750,000 and nonfarm income below $500,000. Zero. So all these press reports they have written about how millionaires are going to be able to qualify, they are wrong because there are no people in those rarified categories. You would have to have $750,000 of farm income and $500,000 of nonfarm income and both husband and wife would have to be in precisely those categories. Do you know what the problem with all those stories is? There are no people in those categories. That is not my report; that is the report from the Internal Revenue Service.

Again, I wish to close by thanking those who have provided such extraordinary leadership, and I would be remiss in not mentioning HARRY REID, who played behind the scenes a very quiet but strong leadership role in helping us bring together all the people necessary to get this bill done. We should also thank the Speaker of the House on the other side and certainly the chairman, Chairman PETERSON, who gave blood, sweat, and tears to this effort, and our own Congressman EARL POMEROY, the only Member serving on both the Ways and Means Committee and the Agriculture Committee, who made an important contribution to helping us get a breakthrough in the Ways and Means Committee on the financing.

This is good legislation. It is good for the country and certainly good for my State but also fair to the taxpayers of this country because it is paid for, and it represents the most dramatic reform since the 1949 act itself. That is a fact.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I yield 10 minutes to the Senator from Minnesota, Senator COLEMAN, who also has played a very valuable role in crafting this bill. He has been a strong member of the Senate Agriculture Committee and a great advocate for not just the farmers and ranchers in Minnesota but farmers and ranchers all across America.

Mr. COLEMAN. Mr. President, I thank my friend from Georgia. Along with all the thanks that have been set forth by the Senator from North Dakota, I wish to thank the Senator from North Dakota.

I went to Lake Bronson in northwest Minnesota in 2005, and the room was filled with family farmers who were talking about disaster assistance. We look at the farm bill—and today we are at a time when commodity prices are high. Folks look at that and say: Why do we need a safety net? Why do we need a farm bill? Two years ago, I had people who were struggling. The pain and fear on their faces was something I wish I had a picture of that I could show you.

My colleague from North Dakota has been a champion—a champion—for ensuring that there is a safety net, particularly regarding disaster assistance. With all the partisan divide we have in this body, here we have an example where it is not about partisan politics; it is about doing the right thing. Folks have dirt under their fingernails who are helping provide the safest, most affordable food supply in the world, and we are talking about a safety net. My colleague from North Dakota has been a tremendous champion, and I wish to express my thanks.

Also, I see the chair of the Finance Committee, Senator BAUCUS, who has also been involved in providing the kind of safety net that when bad things happen, we are going to be proud of this bill; we will be proud. So I wish to express my deep appreciation for the continuous effort that finally has yielded some fruit right here. It will be a shame if we don't make sure this becomes law.

These are tough times right now. Folks are worried about their jobs, they are worried about the cost of food, they are worried about the cost of energy. I don't need an economist to tell me whether we are in a recession or talk to Minnesota families and business owners to know folks are worried out there. We need something that promotes job growth.

I come to the floor to ask my colleagues to work with me to pass one of the most critical economic stimulus packages this body will have a chance to vote on all year. This is a balanced proposal, both ensuring the viability of a key economic sector—agriculture—and helping the many Americans who are struggling to put food on the table. It is a farm bill that we will soon vote to send to the President. At only 1.9 percent of the Federal budget, this farm bill will have enormous impact—providing, as I said, a safety net for American agriculture that in turn employs one out of five Americans and contributes roughly $3.5 trillion a year to the U.S. economy. In my State of Minnesota, agriculture generates $55 billion in economic activity and underpins 367,000 jobs.

We labeled this bill, as folks have said, a farm bill, when in reality it is a food bill, a nutrition bill. Over 66 percent goes to the nutrition safety net. We have all seen the rise in foreclosures and the impact of food prices depleting our food shelters. Families are being hit hard right now. This farm bill helps meet the increased needs. It provides an additional $10 billion above baseline to nutrition.

As the ranking member of the Nutrition Subcommittee, I worked hard to see that nutrition programs—and the Emergency Food Assistance Program, EFAP, in particular—saw substantial increased funding. Well, we got it. The farm bill conference agreement will provide an additional $1.3 billion for our food banks. I have been to Second Harvest and Heartland in St. Paul. The needs are great, and we are meeting those needs today.

The Food Stamp Program receives an almost $8 billion boost in this bill. Our Nation is too prosperous not to lend a helping hand when it is needed.

Despite the importance of the farm bill safety net for hungry families, most of the attention is centered on the commodity programs. Commodity prices are high, critics say. The farmers are doing well. Why should they get a safety net? The reality is the critics don't understand agriculture. They don't understand that although the importance of agriculture to our economy is certain, the survival of individual farm families is not. Once again, the farm bill supports a sector of the American economy that provides millions of jobs, and it is insulting to farmers who put their necks on the line every year to wake up with the Sun and work all day to say they should be able to farm without a safety net.

I urge my colleagues to step into the shoes of one of my Minnesota farmers for a moment. We see high prices in the world market today, but we have no way of knowing whether the drought in Australia is going to continue or whether the consumption habits in countries on the other side of the world will change. Input costs for diesel and fertilizer are going through the roof. Meanwhile, depending on where your farm lies, Minnesota weather has kept you off the tractor, threatening your yields, and not knowing whether you will even have a product to sell for those high prices.

What price is too high for a safety net that keeps farmers, such as those in Minnesota, farming, despite all the uncertainty that allows the agricultural economic engine to continue generating trillions of dollars? How about 0.27 percent of the Federal budget? That is what this bill's commodity title costs. By the way, this bill's safety net is based on the structure of the 2002 farm bill that costs $20 billion less than expected.

From a jobs perspective, this bill is a bargain, and from a commodity payment reform perspective, this bill is historic. I firmly believe we should

eliminate waste, fraud, and abuse in farm programs and try to get the Ted Turners of the world out of the commodity payment business. At the end of the day, no bill is perfect, but this bill is something we can be proud of.

This bill will prevent payments from going to nonfarmers with an adjusted gross income over $500,000, an 80-percent reduction from current law; repeal the triple-entity rule, reducing title I benefits by 50 percent for some producers. We require direct attribution of all benefits to natural persons so we know exactly where it is going—100 percent transparency. We explicitly prevent farm benefits from ever going to a deceased person. There are other reforms. I could go on and on.

I read a headline the other day: ''Fiscal Hawks Eye Farm Bill.'' They should, because this is a fiscally responsible piece of legislation that delivers big bang for the buck.

When I talked with my farmers, again, they told me the 2002 farm bill had the right safety net, it just needed to be improved. And in this conference report, that is what we do. Building on the existing safety net, the bill updates target prices and marketing loan rates for key Minnesota commodities such as wheat, barley, and soybeans. For sugar beet farmers who have been waiting 15 years for updated loan rates, there will finally be an increase. Minnesota's dairy farmers will be relieved to hear the payment rate for the MILC Program will return to 45 percent. I have appreciated Senator LEAHY's leadership on this issue.

In addition to tweaking the current safety net, this farm bill also creates entirely new programs that American farmers desperately need. One I have talked about: permanent agriculture disaster assistance. The other is about sugar to ethanol. I take great pride in the sugar-to-ethanol provision in this bill. This was a proposal that was once met with indignation when I first raised it a few years ago. Even some folks in Minnesota sugar country said it couldn't be done. But I believed then as I believe now—and clearly the conference report lays this out—that it only makes sense to take excess sugar from trade agreements, get it off the market, and use it to help address our dependence on foreign oil. I saw what Brazil was achieving with oil independence, largely as a result of the production of sugar ethanol. The technology for sugar ethanol isn't out of reach. It is at our fingertips. U.S. sugar producers now share this vision and when this sugar ethanol program is implemented, we will be able to quickly add more diversity to our economic food stocks. We have to end our dependence on foreign oil. We have to stop sending billions of dollars out of this country into the pockets of thugs and tyrants, such as Ahmadinejad and Chavez, and we need to do it again with the renewables being a part of it. This bill does it.

The renewable energy vision doesn't stop there. It looks to the future by paving the way for the next generation of biofuels: cellulosic ethanol. Included in this bill is a program I have supported to promote the production, harvesting, and processing of biomass. The bill's biomass loan program will prioritize local ownership—local ownership—so it is not the fat cats on Wall Street, as some say, but it is folks in our local communities who will benefit from America's energy independence movement, which is renewables, which is biofuels.

On the tax side, there will be a $1 production tax credit for cellulosic ethanol. All in all, this bill provides $1.2 billion in new energy investment.

This conference report is a real victory for Americans fighting hunger and working to feed the Nation, but it is also a victory for bipartisanship. I wish to thank the chairman, Senator HARKIN, Senator CONRAD, and Senator BAUCUS for committing to a bipartisan process from the very start and working with me throughout this process. It has been a pleasure to sit across from them and my colleague, Senator CHAMBLISS, and I appreciate the work they have done to produce something this Nation needs right now.

I am disappointed the President intends to veto this bill. If he does that, that is a mistake. I will work hard with my colleagues to override that veto. This country needs this farm bill. I urge my colleagues to join with me in supporting this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I am going to yield 10 minutes to the Senator from Montana, Senator BAUCUS. Before I do, let me publicly thank Senator BAUCUS, the chairman of the Finance Committee, who is also a very valuable member of our Agriculture Committee, for all his help on this farm bill. I can honestly say we wouldn't be here today had it not been for the effort and the work of Senator BAUCUS and of course his ranking member, my colleague from Iowa, Senator GRASSLEY, to come up with the funds we needed not by raising taxes but by closing loopholes and thereby saving some money that they were able to give us so we could meet our needs in this farm bill. Senator BAUCUS and I came to Congress together in 1974. We were classmates. We have been friends throughout all these years.

I thank Senator BAUCUS for all of his diligence also in attending all of the meetings of our conferences which went on and on for hours at a time. He was always there as a valuable member giving his input into getting us to this point. The farmers and ranchers of Montana and the people who live in rural communities in Montana have no stronger voice, no better champion for them than the senior Senator from Montana. I publicly thank him for all of his help on this bill.

I yield 10 minutes to the Senator from Montana.

Mr. BAUCUS. First, I deeply thank my good friend from Iowa, Mr. HARKIN. It has been a wonderful experience working the conference on the farm bill where everybody worked together—both sides of the aisle—and, frankly, both bodies. Basically, there were eight members of the conference, led by Senator HARKIN and Senator CHAMBLISS, who were also invaluable. All of the core members of the conference could go on and on about how great everybody was to work with. I have not experienced anything like this before.

Mr. President, I am glad the Senate debated the farm bill. I am proud we will pass a strong farm bill. This farm bill is very important to my home State of Montana and for farmers and ranchers across America.

But too few Americans realize how important America's farmers and ranchers are to the economy and the security of this country.

As we finish debate on the farm bill I want to take the opportunity to discuss how important a robust American agriculture sector is.

I also want to address some of the criticisms aimed at America's farmers and ranchers.

Over the last few years, major newspapers and Washington special interest groups have been busy demeaning our Nation's farmers and ranchers.

The articles come with some pejorative titles, such as ''High Plains Grifters,'' ''Farmers at the Trough,'' and ''Hungry Kids, Greedy Farmers.''

These attacks are disappointing to many of us who have worked hard over the years to enact successful, supportive agriculture policy.

But there is a wide gulf between the claims being made in these articles and the reality of what is going on in farm and ranch country.

The articles waver between portraying farmers and ranchers in completely opposite ways. Either the corporate businessman leaching off the Government dole or or the hayseed farmer unable to compete in the market economy without a handout.

Either the corporate businessman leaching off the Government dole or the hayseed farmer unable to compete in the market economy without a handout.

These portrayals are disappointing to me and disheartening to rural America. And they are false.

I know that in this high-tech age it is tempting to downplay the importance of those who put food on our table and clothes on our back. But the better part of history would teach us to avoid the temptation.

The portrayals also inaccurately depict the agriculture economy while entirely missing the underlying problems that plague farmers and ranchers.

One common attack on U.S. farm policy is that it is no longer for the family farm and ranch, but rather has become corporate welfare.

But even the most basic of research quickly uncovers that today nearly all

producers in America remain family farms and ranches not corporations and conglomerates. In fact, only 2.2 percent of farms are nonfamily farms.

Negative articles frequently refer to ''protectionist'' policies intended to shield farmers and ranchers from competition and to raise consumer prices.

One group recently stated that we should simply ignore all the subsidies and trade barriers of other countries. Unilaterally disarm our own farmers and ranchers. And then sit back and enjoy the benefits of cheaper imported food.

This makes zero sense. American consumers today spend a lower percentage of their disposable income on food than consumers anywhere else around the world. In fact, American families are the only families in the world who spend less than 10 percent of their disposable income on food.

Agriculture is also important to our economy, as became apparent earlier this decade when farmers and ranchers helped get the country through a manufacturing crisis.

Our farmers and ranchers managed this even as the average foreign tariff rate on agriculture products was and remains about 62 percent, while the United States average tariff is only around 12 percent.

President John F. Kennedy once said ''the Farmer is the only man in our economy who buys everything at retail, sells everything he sells at wholesale, and pays the freight both ways.'' That is true.

Farmers and ranchers are—and in my memory always have been—in the middle of a never-ending cost squeeze. For too many years we have asked our farmers and ranchers to do more and more and always with less.

So while all the negative news articles focus on the symptoms, they never seem to get around to identifying and discussing the real problems that plague our farmers and ranchers: skyrocketing costs and stagnant returns.

The next generation of farmers and ranchers, growing up all across rural America, has a more accurate view of what farming and ranching life is really about than do urban newspapers and think tanks.

They see long days in the fields, unpredictability caused by droughts, hail storms, hurricanes and floods and a low payoff at the end of the day. Too frequently, they decide it is not worth the effort to come back to the family farm.

That is one reason I was proud to champion the dependable, reliable disaster program that is included in the farm bill. It is wrong when our farmers and ranchers are forced to wait up to 3 years for a disaster payment. We can do better for our farmers, and we can do better for our taxpayers.

Farmers deserve a program and provides dependable, equitable relief when disaster strikes. Taxpayers deserve a program that requires farmers to manage their risk through crop insurance. We have done both.

As we finish debate on this farm bill, I am proud to say that my goal has been, and will always be, to increase the net income of America's farmers and ranchers. I want a strong agricultural economy in this country. I want a strong, homegrown source of safe, affordable, and abundant food and fiber.

I believe this farm bill will strengthen our farm economy. I want to mention a couple provisions in the farm bill that will increase producer's bottom line as well as strengthen rural America's Main Streets.

One of the biggest reforms in this farm bill is the country-of-origin labeling compromise. The conference report simplifies COOL and makes it workable for both our ranchers and our packers. These changes are a major step forward and will help as we undergo the transition this fall to mandatory COOL. I call this COOL reform.

Another major reform we have fought for since the 1990s is allowing interstate shipment of State-inspected meat. There is no reason our smaller packers should not be able to sell their meat out of State. Now, nearly 20 years later. This farm bill establishes a program that allows smaller, State-inspected packers to market their high quality meat nationwide. This is a huge win for ranchers, packers and rural America.

Whether it's a dependable disaster program, COOL reform, interstate shipment, a $10 billion bump to our nutrition programs, or a $4 billion increase to our working-land conservation programs, there is a lot to be proud of in this farm bill.

While the urban media creates visions of agriculture producers lining up for Government payments, I am more worried about our next generation of producers lining up to leave those family farms and ranches. It's so hard and such a tough life.

The great irony in the debate that swirls around U.S. farm policy today is that it is getting so much criticism from so many different quarters and yet it remains one of the truly great success stories in the world.

As with anything else, there is always room for improvement. And I believe we have made improvements in this farm bill. But, every now and again, especially in an age of such cynicism, I know my Montana farmers and ranchers would like to open their papers, turn on their televisions or radios, and just hear a simple thank you.

We really appreciate what you do to keep us clothed and fed like nobody else in the world has ever been before.

Mr. President, Emerson wrote:

> What is a farm but a mute gospel? The chaff and the wheat, weeds and plants, blight, rain, insects, sun—it is a sacred emblem from the first furrow of spring to the last stack which the snow of winter overtakes in the fields.

The farm bill conference report before us today is a tribute to that sacred emblem, that mute gospel, the farm. This bill will help to address some of the challenges facing the farmer and rural America.

The conference report provides permanent disaster assistance for farmers and ranchers. And the conference report also includes farm tax reforms that fund farm tax relief as well as agricultural and trade measures.

The tax package in the conference report will help farmers to preserve land and to protect endangered species. It will provide tax relief for farmers and ranchers, and it will help America find homegrown energy independence.

The trade-related measures in the conference report accomplish a number of vital purposes for this agriculture legislation. Trade provisions help to fund the farm bill's provisions. And trade provisions level the trade playing field for softwood lumber producers.

The new program in this conference report for relief from agricultural disasters is a notable achievement. Currently, Congress addresses agricultural disasters through ad hoc bills. Ad hoc disaster bills are not dependable. They are never timely. And they are often unfair.

After a disaster strikes, farmers and ranchers often have to wait years to receive disaster assistance. We need a permanent disaster relief program for our farmers and ranchers. We need a program that is dependable, timely, and equitable. The new program in this conference agreement will provide that.

Many Americans—including many leaders in Congress—say that America's farm policy is ripe for reform. The farm bill conference report includes important farm tax reforms.

The conference report will prevent the use of farm losses as a tax shelter by limiting the amount of farming losses that a taxpayer may use on nonagricultural business income. It will ensure that farmers know their tax obligations by requiring the Commodity Credit Corporation to always provide the IRS and the farmer with information returns when the farmer repays a CCC market assistance loan. It will allow farmers to pay additional self-employment taxes to qualify for Social Security.

Taken together with a slight decrease in the ethanol tax credit and other offsets, these reforms fully offset the tax and trade package in this conference report.

American farmers and ranchers want to be responsible stewards of their land. But the financial pressure to sell to developers can be extreme. The farm bill conference report includes tax incentives to encourage and enable private landowners to promote conservation on their land.

The conference report provides conservation tax relief for retired and disabled farmers. It would exempt CRP payments to these individuals from self-employment taxes. And it would keep these payments from reducing their Social Security or disability payments.

Nearly two-thirds of endangered and threatened species are found on private lands. So the conference report establishes a tax deduction for the cost of landowners' actions to implement recovery plans under the Endangered Species Act.

More than 10 million acres of conservation easements are held by land trusts nationwide, many of them donated. The enhanced charitable tax deduction for conservation easements has proven to be a valuable incentive for making these kinds of gifts. So the conference report extends the enhanced deduction for conservation easements.

The conference report also includes important provisions to protect American timber jobs and American lands. This conference report will help the American timber industry to remain globally competitive. And it will help to keep timber land from being sold for development.

America's farming families sacrifice a lot to feed this country. The farm bill conference report includes a number of tax relief provisions to help them to start farming, help them to stay financially afloat, and help to make the Tax Code fairer for those who make a living working the land.

The conference report improves ''Aggie Bonds.'' These are tax-exempt bonds that provide low-interest loans for first-time farmers and ranchers.

Agricultural chemicals and pesticides purchased for legitimate uses are increasingly vulnerable to theft because of the drug trade and national security threats. The conference report provides support for agricultural businesses by providing a credit for the costs of protecting these agricultural chemicals and pesticides.

Some State water rules keep farmers and ranchers from selling their land when they need to or want to. The conference report will allow the tax-free exchange of stock that represents a holding of water rights. This will allow this stock to be treated like real property under section 1031 of the Tax Code.

As summer approaches, American families are paying higher prices than ever for gasoline. Our country needs to break its dependence on foreign oil and fossil-based fuels. And America's agricultural sector can help, with homegrown energy solutions.

Cellulosic biofuels can be produced from agricultural waste, woodchips, switchgrass, and other nonfood feedstocks such as brewer's spent grains. With an abundant and diverse source of feedstocks available, cellulosic biofuels hold tremendous promise as a homegrown alternative to fossil-based fuels.

But because cellulosic biofuels are very expensive to make, government assistance can help to spur these fuels to commercial viability. The farm bill conference report includes a new, temporary production tax credit for cellulosic biofuels. The credit will be worth up to $1.01 per gallon. And it will be available through December 31, 2012.

The farm bill conference report also contains a number of trade-related measures. Enforcement of the softwood lumber agreements is one of these provisions. Timber is an important agricultural product. And America both produces and imports significant amounts of timber-related products, including softwood lumber.

As the downturn in the housing market continues to hurt American softwood lumber producers, America's trading partners must be held to fair trade standards for softwood lumber.

The conference report includes an importer declaration program that will require American importers of softwood lumber to ensure that their imports are consistent with America's international agreements. The softwood lumber provision will also force the administration to take affirmative steps to enforce American softwood trade agreements.

And, Mr. President, this is a good conference report. We should pass it, and send it to the President.

Let us pay tribute to that sacred emblem, that mute gospel, the American farm. Let us address the challenges facing the farmer and rural America. And let us pass this much-needed conference report.

I have never been more proud of what all you do in helping to provide food and fiber for America.

Mr. HARKIN. Mr. President, I thank the Senator from Montana, my good friend for all these years. We first came here in 1974. I thank him for working diligently to make sure we had funding for this bill and some tax provisions we had in this bill that help correct inequities we did in the past. I thank the Senator. I will have more to say.

I have other speakers we need to recognize. I yield 4 minutes to the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank my colleague. I will start by congratulating Senator HARKIN and Senator CHAMBLISS for their good work on this legislation, and also Senator BAUCUS. I know Senator CONRAD also had a very important role in completing this legislation. This is a good bill for New Mexico, a good bill for the Nation. I plan to vote for the conference report.

Mr. President, I am pleased with the numerous provisions in this bill that help promote specialty crops like chile and pecans, conserve natural resources, invest in food and nutrition for children, increase production of advanced biofuels, promote broadband service in rural areas and provide fresh fruits and vegetables for schools. The bill includes the consensus language I support on country-of-origin labeling of meat and vegetables.

I also appreciate the conferees including a provision authorizing a new Southwest Border Regional Commission. I originally introduced the Southwest Border Authority bill, which created this Commission, in 2002. I have been working since then with Senators BOXER, FEINSTEIN, and HUTCHISON toward its passage. I would also like to commend the work of Congressman SILVESTRE REYES, who championed the bill in the House. The new commission will give the Southwest border region the ability to coordinate economic activity and innovation. There can be no question that the Southwest border is an area of tremendous promise and economic activity. Unfortunately, this region has long suffered from a lack of coordinated effort among and between the border counties. The Southwest Border Regional Commission will, for the first time, provide the tools and personnel necessary to harness the opportunity in the area and create a dynamic economy that will benefit the entire Nation.

Nevertheless, there are provisions in this bill that cause me concern. The dairy industry is New Mexico's single most important agricultural commodity. My State is currently the Nation's ninth largest dairy State and sixth in total cheese production. Dairy producers in my State see little in the bill to help them deal with today's high production costs and believe this bill will hurt them. It is unfortunate that the bill extends and expands a subsidy program called the milk income loss contract at a cost of $1.6 billion over 5 years. I led the opposition to the MILC subsidy in the 2002 farm bill and voted against the extension of it in 2006. I do believe the program unfairly favors producers in only a few States and is not a good use of taxpayers' money.

I am also disappointed that the conferees did not include my bipartisan provision that promoted water conservation for producers in the Ogallala aquifer. The Ogallala aquifer is a critical source of groundwater for agricultural and municipal uses. My voluntary program would have helped slow the rapid depletion of this vital resource. In place of my provision, the bill has a new Agriculture Water Enhancement Program. I intend to work with USDA to ensure that priority is given to States and agricultural producers in the Ogallala region to coordinate Federal assistance with State programs and to encourage cooperation among States in implementing conservation programs and efficient use of water.

Let me conclude my statement by spending a minute or two talking about the provision in this bill to expand trade preferences for Haiti, and the situation in Haiti more broadly.

Haiti is the poorest country in the Western Hemisphere. According to United Nations Development Programme data, approximately 76 percent of Haiti's population subsists on under $2 per day and 55 percent on under $1 per day. As much as three-fifths of the population is unemployed or underemployed. One in five Haitian children is malnourished.

Since late 2006, President Préval, in conjunction with the United Nations

Mission for the Stabilization of Haiti, or MINUSTAH, has made real progress in reclaiming the streets from the toughest gangs in Cité Soleil and other Port-au-Prince slums. Last month's food riots—and the dismissal of Prime Minister Alexis, and the Haitian parliament's rejection of Ericq Pierre, the Inter-American Development Bank official nominated to replace him—now threaten to reverse these hard-won gains.

On balance, though, for the first time in many years, Haiti has a real opportunity to build a future. And we owe it to the Haitian people to help them in this task—partly for reasons of preserving stability in the Caribbean, and partly to provide an alternative to emigrating to the U.S., but mostly because it is the right thing to do.

As part of this ongoing commitment, we must take two immediate actions to consolidate stability by fostering economic growth in Haiti. I am pleased that one of these steps is taken by this farm bill.

The HOPE-II Act contained in this conference report has significant potential to create jobs in Haiti's apparel sector by expanding its duty-free access to the U.S. market. It also gives Haiti a degree of access to ''third country'' fabric, whose low cost makes the business case for opening an apparel factory in Haiti much more attractive. And it helps Haiti to adopt best practices on working conditions by authorizing a program under which the International Labor Organization assesses the apparel industry's compliance with core labor standards and Haitian labor law. I would like to commend my colleague, Chairman RANGEL, for his efforts to get this provision included, and my colleagues Senators CORKER and HARKIN and NELSON from Florida, for all of their hard work and attention to the urgent needs of Haiti.

The second immediate action we must take is to address the food crisis in Haiti. I am pleased that the upcoming emergency supplemental appropriations bill will call for significantly increased levels of food aid. I urge my colleagues and the Bush administration to place a priority on Haiti when allocating that aid. Specifically, Haiti needs, at bare minimum, $75 million in food aid. I also believe we must continue working with the administration to ensure that our food aid is dispersed as efficiently as possible by allowing at least 25 percent of it to be used for purchases of food in developing countries.

We must not let this pivotal moment slip out of our hands. In an era when too many countries around the world distrust the U.S., let us work together to build goodwill among the people of Haiti.

Again, I thank Chairman HARKIN and Senator CHAMBLISS for all their good work on this bill. I will support the conference report, and I hope it will soon be passed into law.

Again, I congratulate my colleagues for the good work on this bill, and I yield the floor.

Mr. CHAMBLISS. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Georgia has 28 minutes.

Mr. CHAMBLISS. At this time I yield 5 minutes to another very valuable member of the committee, a Senator who has had an awful lot of input into this bill, both policywise and otherwise, Senator THUNE of South Dakota.

Mr. THUNE. Mr. President, I thank the distinguished Senator from Georgia and the Senator from Iowa, the chairman of the Agriculture Committee, for their extraordinary leadership on this bill and for the imposing staff work that was involved in bringing this to conclusion. At long last we are going to have a farm bill.

This farm bill is important for a lot of reasons. I don't have time to get into all the details of why I think this bill is important, but it does preserve a strong safety net. It does provide a permanent disaster title, which is something many of us have sought to achieve for some time, and fought long and hard for. It has conservation provisions that increase funding for certain conservation programs.

On balance, this is a farm bill that is reflective of all the needs, the desires, the priorities of the Members—not only of the Agriculture Committee but also of this Congress. I think it will move agriculture forward in a positive direction. I congratulate the leaders on the committee and those who have been involved all through this process for their hard work in bringing us to where we are today.

I want to make one point, though, because I think if there is anything in this bill as important as any of it, it is the energy title in this farm bill. The reason for that is we have an energy crisis in this country. You cannot go anywhere in my State of South Dakota, I daresay anywhere in this country, without hearing people talk about the high cost of gasoline. There is one thing we have done that is positive in terms of reducing the cost of oil, reducing the cost of gasoline in this country, and that is biofuels, bioenergy.

There is a lot of debate. I want to set one thing straight for the record because there has been a lot of criticism lately of corn-based ethanol and we talk about this whole food versus fuel debate going on in the country today. So people know what the facts are, here are the facts. In 2002, the United States grew 9 billion bushels of corn. Of that, we turned 1.1 billion bushels into 3 billion gallons of ethanol.

In 2007, farmers grew 13.1 billion bushels of corn and turned 3 billion bushels of it into 8 billion gallons of ethanol, leaving 10.1 billion bushels for food, more than the 7.9 billion bushels in 2002.

If you do the math, despite a nearly threefold increase—growth—in the corn ethanol industry, the net corn food and feed product of the United States increased 34 percent since 2002.

Even though we dramatically increased the amount of ethanol we are producing in this country, we still, because of the great hard work of our farmers in this country and the productivity and increases in technology, produced dramatically more corn, so much so that we have 34 percent more corn in 2007 than we did in 2002, notwithstanding the threefold increase in renewable fuels.

I say all that to set the record straight because there is a real debate going on in this country about whether ethanol is to be blamed for higher food prices. Frankly, oil has way more to do with the cost of food and everything else we purchase in this country than does ethanol. But that is not enough. We can do a lot more. The reason the energy title in this bill is so important is because it moves us in a new direction. The next generation of biofuels is what we call cellulosic ethanol, made from biomass, made from wood chips, made from corncobs, made from switchgrasses and other types of grasses that are grown in abundance on the prairies of South Dakota and other places across this country.

We have an enormous opportunity here to not shrink the amount of biofuels we have in this country, but to grow the amount of biofuels because it is the one thing that is keeping gas prices under control. According to an analysis that was done by Merrill Lynch that was reported upon in the Wall Street Journal a couple of weeks back, if it were not for ethanol, gas prices and oil prices in this country would be 15 percent higher than they are today. That is about 50 cents a gallon for gasoline. We do not need less volume of biofuels, we need more volume of biofuels. That is why the energy title in this farm bill is so important, because it provides important incentives for the next generation of biofuels, cellulosic ethanol, to encourage farmers to grow energy-dedicated crops that can be converted into cellulosic ethanol. As we transition from corn-based ethanol to cellulosic ethanol, we have an incredible opportunity for this country to become less dependent upon foreign sources of energy, to grow our domestic supply of energy in this country in a way that is environmentally clean, in a way that helps support the economy of the United States of America and does not ship billions and billions of dollars every single year outside the United States to purchase imported oil.

This is an important farm bill for a lot of reasons, but the energy title is critical and I hope my colleagues here in the Senate, if for no other reason, will support it because of its energy provisions.

I see my time has expired, so I yield the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I yield 3 minutes to the Senator from Washington State, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, farming is a critical part of the economy in my home state of Washington. Many people don't know it, but Washington is the Nation's 11th-largest farm State. And we are the third-largest producer of fruits and vegetables—which are also known around here as specialty crops. So the farm bill we are considering today will help keep my state healthy and strong. It will help them find markets for their crops here and abroad—and it will help fund research to ensure they have healthy and safe crops in the future. This isn't a perfect bill. But it is a very good bill for Washington state farmers. And that is why I rise today.

The biggest victory for Washington state in this bill is the more than $3 billion to help farmers who grow apples, cherries, grapes, potatoes, asparagus, and many other fruits and vegetables. This is the first time Congress has passed a farm bill that includes comprehensive provisions addressing the needs of specialty crop farmers. This legislation will really help our farmers by carrying out programs that I have been pushing for over the last several years. And I want to thank my colleagues, Senators HARKIN, CONRAD, CHAMBLISS, BAUCUS, and GRASSLEY for their hard work on this bill.

The farm bill conference report includes $224 million in block grants, which will allow local fruit and vegetable growers to increase the competitiveness of their crops and $15 million in badly needed aid for asparagus farmers. Asparagus farmers in my home State—and elsewhere—are struggling to compete with a flood of cheap asparagus being imported from Peru. I worked very hard through conference negotiations to make sure that this market loss program stayed in the bill, and I am very grateful to our conference chairs for keeping it in.

This bill helps farmers find new markets abroad for their crops, which will allow them to better compete in the global marketplace. For example, it increases funding for the Technical Assistance for Specialty Crops program, which helps our farmers overcome barriers that threaten our exports. And, farmers in my home State are really eager for this program. Last fall, I held a listening session in Yakima, WA, where I heard from cherry farmers who are trying to develop a new market in Japan. And this bill would help them build on those efforts.

I am especially pleased that this bill includes $20 million for the National Clean Plant Network. Farmers who grow apples, peaches, and grapes depend on this program to ensure we have a source of clean plant stock to help prevent the spread of viruses. A single infected plant or grape vine can wipe out an entire established orchard or vineyard. So this is very important. Washington State University has been leading the effort to ensure our farmers have virus- and disease-free plant stock. And I am proud that they will be an important part of this national network.

Now, a lot of people don't realize that the farm bill isn't just about farmers. Well over half of this bill authorizes funding for school lunches, food stamps, and other nutrition programs. And since obesity is one of the biggest nutrition challenges we face in this country, this bill specifically targets funding to ensure that families receiving food stamps, and kids getting school lunches will have more access to fresh fruits and vegetables. My home State of Washington would get $9 million in nutrition program funding next year alone.

And finally, this bill will be a lifeline for food banks and other emergency food providers, which have struggled with rising food prices and the downturn in the economy.

As I said from the beginning, this bill isn't perfect. I wish that we were able to include important improvements to the safety net that is so critical to our wheat farmers. I have been working for several years with wheat farmers in Washington State to improve the countercyclical payment program to really make it work for them. Unfortunately, we couldn't make significant changes in this bill. But I am happy that it continues to provide a safety net for our wheat growers.

Now, I have just walked through numerous examples of how this farm bill is good for my State—and for the Nation. And that is why I am so disappointed to hear President Bush say that he plans to veto it. At the end of the day, none of us got everything we wanted in this bill—including the administration. But the conference report does do a lot of good. It helps farmers, who are struggling as gas prices soar and foreign competition threatens their livelihoods. And it helps millions of low-income families, who are struggling just to put food on the table.

Mr. President, we have got to get beyond politics on this. Making sure that our farmers and our kids both benefit from investments in the programs in this bill is absolutely critical. We are not just talking about numbers. These programs can make or break people's livelihoods. And I urge my colleagues to support them by approving this bill.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that I receive 4 minutes of the time of the majority.

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

Ms. KLOBUCHAR. Mr. President, yesterday afternoon the House of Representatives passed the farm bill conference report by a vote of 318 to 106. The Senate will vote in a few minutes and we expect to have an overwhelming majority in favor of this farm bill. I thank Senator HARKIN for his great leadership, and Senator CHAMBLISS—it was a bipartisan effort—as well as Senator CONRAD and Senator BAUCUS, all the members of the committee, and I want to take special note of my good friend Representative COLLIN PETERSON from the State of Minnesota who showed such leadership in the House.

America's farm safety net was created during the Great Depression as an essential reform to help support rural communities and protect struggling family farmers from the financial shocks of volatile weather and equally volatile commodity prices.

Almost 75 years later the reasons for maintaining that strong safety net are still there. The weather is still volatile, as we have seen this year. Crops are still subject to blight and disease. Farming is still a very risk-intensive business. We have seen prices going up and down—recently down in Asia—as we have seen investment and speculation in the farm market. I think it is very important that we have a safety net as we look at our food security so we don't get in the same place as we are with our lack of energy security.

I want to mention a few important things to my State in this bill—the sugar program, the dairy program, and the conservation program. I know we have people here in attendance from Pheasants Forever. The conservation groups worked very hard on this—the nutrition assistance. But I especially wanted to mention the part of the bill that I worked on, the cellulosic piece, which looked to the next generation of biofuels—looking at prairie grass, switchgrass, other forms of biomass. As we look to, say, the country of Brazil, which is energy efficient—energy independent, based on sugarcane—we can do it in this country.

I believe we have to go beyond our crop-based ethanol and look at these other forms of ethanol and this bill creates the incentives so we can use energy crops such as switchgrass and prairie grass and do it in a way that is consistent with conservation, which is why I am so proud we have the support of the conservation groups that are with us today.

I was a strong proponent for reform in this bill. It didn't have everything I asked for, as Senator MURRAY was discussing; no bill is perfect. But we had significant problems in the last few years with a small number of people—real estate developers from Florida, art collector from San Francisco, 100 people from the Beverly Hills 90210 area code—collecting money. This bill eliminates the three-entity rule. Also, the conferees have included substantial income limits for those who participate in the commodity program—$500,000 in nonfarm income, and they are banned from getting subsidies; and then third, $750,000 for farm-related income.

Frankly, you can go a long way in Minnesota without bumping into a farmer who made $750,000 after expenses. The reform in this bill may not be perfect but it is a lot better than where we were before.

The 2002 farm bill spurred rural development by allowing farmers in Minnesota and across the country to take risks to expand production. Because of productivity gains and innovation, including advances in renewable energy, the farm support programs in the 2002 farm bill actually came in $17 billion under budget.

As the Senate considers the conference report, it is important not to underestimate the value of a strong bill for states such as Minnesota where agriculture is so vital to our economy and way of life.

That is why, as a member of the Senate Agriculture Committee, I support the new farm bill. It includes an increased focus on cellulosic-based ethanol, continued support for a strong commodity safety net and a permanent program of disaster assistance.

And, of particular importance is that we have balanced our budget in this farm bill, with every dollar of new spending fully off-set.

Traveling around the state during the campaign I was visiting all 87 counties this year, so I have had a good opportunity to talk to farmers around our State. They have told me that the 2002 farm bill has worked well for them, and they wanted to see that continued.

I am very pleased that this bill continues the same basic structure of the three-part safety net—direct payments, countercyclical payments and marketing loans—and I am especially pleased that we have succeeded in rebalancing the commodity programs to be more equitable to northern crops like wheat, oats, barley, soybeans and—canola, beginning in 2010.

Another top priority for Minnesota farmers was creating a permanent program of disaster assistance for farmers. I would like to thank Senators CONRAD and BAUCUS for their efforts to see this program through. Farmers are tired of coming back to Congress year after year with a tin cup in their hands.

Minnesota has been hit with drought, flooding and everything in between over the several years, and they have had to wait years on end for Congress to pass adhoc disaster relief bills.

The permanent program of disaster relief in this farm bill will give farmers security moving forward, and quick relief when they need it.

This bill holds some good news for Minnesota's dairy farmers—we were able to restore the MILC payment rate that had been cut to 34 percent, back to 45 percent. We also added a feed cost adjuster to the MILC program, which means that when the price of feed goes up, the payment rate will also go up. This is really going to help dairy farmers cope with the high cost of feed and energy.

The new farm bill is also going to work well for Minnesota's sugarbeet growers. It raises the sugar loan rate by ¾ of a cent—it may sound small to you and me, but it's a big deal to the farmers in the Red River Valley.

We have language in the bill that will give U.S. sugar producers the right to supply 85 percent of the domestic market each year before USDA can allow additional sugar imports. And it creates a new sucrose-to-ethanol program to give us a new source of energy, and provide an outlet for potential increases in imports as a result of this administration's trade policies.

One of my major goals for this farm bill was to include a strong cellulosic ethanol program. Farms can and should play a bigger part in the future of this country's energy security.

Instead of investing in oilfields of the Mideast, we should be investing in the farmers and workers of the Midwest.

Our corn-based ethanol and soybean-based biodiesel have taken off in Minnesota, and we are ready to expand to the next generation of biofuels: energy from native, perennial crops like switchgrass and prairie grass that require less fertilizer, yield more energy, and protect soil, water and wildlife.

I was proud to draft first-of-its-kind legislation to provide farmers with an incentive to grow cellulosic energy crops, and I would like to thank Chairman HARKIN and Chairman PETERSON for working with me to include many of my provisions in the farm bill.

Energy crops like switchgrass and prairie grass hold great promise for farmers because they can be grown on marginal land that can't produce a high yield of corn or soybeans, and they restore the land while they're growing. Their deep root systems sequester carbon and put organic material back in the soil.

Native grasses can also save fuel and fertilizer because they don't require lots of passes with farm equipment or heavy fertilizer applications.

The fact that these crops put carbon back in the soil and take less fossil fuel to produce offers us the promise of producing a carbon-neutral motor fuel for this country, which would be a huge advance in the fight against global warming.

In short, the Biomass Energy Reserve Program is going to allow us to expand upon corn ethanol and soy diesel to a new generation of farm-based energy, and greater freedom from imported oil.

I am also pleased that the committee has prioritized beginning farmers and ranchers in the credit title. There are real opportunities today to start out in farming, especially in growing areas like organic farming and energy production. But beginning farmers also face big obstacles, including limited access to credit and technical assistance, and the high price of land.

The beginning farmer and rancher programs in this farm bill provide mentoring and outreach for new farmers, and training in business planning and credit-building—the skills they need to succeed and stay on the land.

So there are a lot of good things for Minnesota and the country in this farm bill. There is, however, one critical area where I fought for more reform, and that was in stopping urban millionaires from pocketing farm subsidies intended for hard-working farmers.

This kind of reform is in the best interests of Minnesota farmers. Here are the facts.

Sixty farmers collected more than $1 million each under the 2002 farm bill, but none of them have been Minnesotans, even though Minnesota is the fifth-largest agricultural State. The average income of Minnesota farms, after expenses, is $54,000. But under the current system, a part-time farmer can have an income as high as $2.5 million from outside sources and still qualify for Federal benefits.

It made no sense to hand out payments to multimillionaires when this money should have been targeted to family farmers.

And what we saw so clearly in the media coverage of this farm bill was that big payments to big-city investors were undermining public support for the entire bill, even though commodity payments account for just 16 percent of funding in this bill.

But this bill is going to do better for our farmers by closing loopholes and tightening income eligibility standards.

First, the new farm bill eliminates the ''three-entity rule.'' This will cut down on abuse by applying payment limits strictly to individuals—and married couples—and ending the practice of dividing farms into multiple corporations to multiply payments.

Second, I am pleased to report that the conferees have included substantial income limits for those who participate in the commodity programs, which is an area where I fought hard for reform. What the bill says is, if you earn more than $500,000 in nonfarm income—so if you have a high-paying job off the farm, or income from investments, or any other source of income off the farm in excess of $500,000—you cannot participate in the commodity programs.

This makes good sense to me. This will take care of multimillionaires, like David Letterman and Paul Allen of Microsoft, or Maurice Wilder, the real-estate developer in Florida, getting farm payments intended for family farmers.

The bill also says that if you have more than $750,000 in farm-related income, you lose your direct payments. I think this also makes sense. I would venture to say that any farm bringing in that much money after expenses is of a size and scope that they no longer need the support of taxpayers.

So the reform in this bill is not perfect, but it is a lot better then where we were before. And I thank the conferees for taking these important steps in the bill.

In conclusion, there are a lot of important changes in this bill, and there is a lot that is good for rural America, and the safety net is vital for farmers. We have made important advances in

conservation, and made much-needed improvements to our nutrition programs. Perhaps most importantly, this bill lays the groundwork for farmers to play an even greater role in our country's energy security and will advance us to the next generation of biofuels. For all of these reasons, I will be proud to vote for this bill, and I urge my colleagues to do the same.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. At this time I wish to yield up to 10 minutes to the Senator from South Carolina, Mr. DEMINT.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I do not like to be the one to rain on a parade, but I am rising today to speak against the farm bill. I wish to do it in the context of thanking the chairman and the ranking member for their work. I think if we assume it is our job to manage the farming industry in this country, they had very little choice but to do what they have done and try to go through all aspects of farming and include it in this bill. That took over 2 hours to print out. It came out less than 2 days ago. We are getting ready to vote on it. Not one Member of the Senate has read probably even part of it—certainly not the whole bill. Yet I think everyone, or at least a large number of Senators, want to leave here today saying they voted for the farm bill.

I realize nothing I can say that is wrong with the bill—whether it violates budgets or even our own Senate rules, as far as what we are supposed to do in conference—is going to make that much difference. I wish to express some concerns—maybe, before I talk specifically about the farm bill, some broader concerns.

I heard one of my colleagues yesterday say it in a pretty good way: The Congress is comfortably sitting on a raft floating down a slow, deep river. But some of us hear the waterfall around the corner, and it is the waterfall I wish to talk a little bit about today.

We all need to remember our oath of office. I don't want to be preaching to my more veteran colleagues, but our oath of office is simply to protect and defend the Constitution. The whole point of that is the Constitution limits the scope of what we are supposed to do at the Federal level. It keeps us from getting involved in all aspects of American business and social life. It limits us so that we can, in effect, keep America free. But as we all know, we have continued to expand the scope of the Federal Government, essentially making a mockery of our oath of office now to the point where we are trying to manage the education system in America and we are trying to manage the health care system in America.

This week, we are trying to tell local and State governments how they are to deal with their public safety officers. We are trying to manage the farming industry in this country, which is very complex. I cannot pretend to understand it or to tell any other Member of the Senate how we are to manage it. But the fact is, we no longer limit the scope of what we do at the Federal level. There is no concern in this country or around the world that this body would not take up, and we seldom even talk about any restrictions the Constitution might have on what we do.

We also do not limit how much we can spend. We have no requirement that we balance our budget year to year. So we don't have to select priorities and cut programs when we add programs. So we continue to grow our budget, approaching now $10 trillion in debt as a Nation and adding to that every year. Here we are at a time of war and economic downturn, and there is nothing that is too much for us to spend. The President has proposed $50 billion of AIDS support to Africa. That is wonderful, but there is enough human need around the world to bankrupt this country 100 times.

This farm bill expands spending. It does not modernize the program in any way that does more to make the free and private market work. It takes us deeper and deeper into managing an aspect of the private economy, as we have done with health care and education, and every year we get deeper into trying to manage the private sector. Our role as a government should be to make the private sector work better, to make freedom work for everyone and not to use problems as an excuse to replace freedom and the private market with more Government. That is essentially what we are doing.

I am not just jumping on the farm bill and those who have worked on it. We know we continue to subsidize some millionaires, and we eliminate some key payment limits. I can go through the list my staff has given me of what is wrong with the bill. As I said before, I realize there are provisions that solve problems throughout, that there are constituencies for little aspects of this bill throughout. We pulled it together, and we are going to present it now to our country. What is wrong with the bill, frankly, has very little relevance today.

I appeal to my colleagues, I know we are not going to stop this bill, but we do need to hear the waterfall around the corner. We do need to accept there are some restrictions, some limits on what we are supposed to do as a Federal Government, some need to balance our budget or to begin to cut our debt and look at, if we are going to expand spending in one area, where can we cut it and pay for it in another area. We are stretched out as a country. We are on an unsustainable fiscal course. We at least need to bring that into our debate. That is what I would like to bring to everyone's attention today.

Again, I appreciate the chairman, the ranking member, and all those staff members who worked so hard on this bill. But, frankly, as a group, as a Senate, our direction to the committee and those working on it should be to reform a system and try to figure out how we can pull the Federal Government out of some aspects of American business. We did not do it with this bill. We have not read it. It is crazy for us as a Senate to pass a bill that we have not had for 2 days and have not read that spends the hundreds of billions of dollars that this bill does. But I do want to say I appreciate the work, but I recommend to any of my colleagues who are thinking about the future of America to please vote against this bill.

I yield back the remainder of my time to the ranking member from Georgia.

Mr. HARKIN. Mr. President, I yield up to 4 minutes to another great member of our Agriculture Committee, the Senator from Pennsylvania, Mr. CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, first of all, I thank Chairman HARKIN for his great work and Ranking Member CHAMBLISS for their leadership on this bill, a very difficult piece of legislation.

Chairman HARKIN was so patient with me when I kept coming to talk about dairy farmers over and over again, as he listened and worked so hard to help so many of our farmers in his home State of Iowa and across the country. We are grateful for his help.

Also, I wish to mention Senator CHAMBLISS's work and Senator CONRAD, Senator BAUCUS, and so many others.

On my staff, I mentioned Caryn Long, who did great work, Kasey Gillette, who has done great work from the beginning of this process, and Alex Davis from my staff as well. All have done great work.

Let me do some quick highlights of the bill from the perspective of Pennsylvania but also I think from the perspective of our country overall.

With regard to dairy, dairy farmers who lead lives of struggle every day and have had to work under and survive under the most adverse circumstances one could imagine, this bill is historic in the context of what it will do to help our dairy farmers, 98 percent of whom in Pennsylvania are family farms. For the first time, we are considering the cost of production. I know the Presiding Officer has heard that phrase a lot in our deliberations. But for the first time, we are considering cost of production when we put forth programs and policies for dairy farmers.

This farm bill strengthens the safety net provided by the Milk Income Loss Contract, the so-called MILC Program, by adding a feed adjuster. I won't go into the details of that, but it is going to help enormously on the cost of production.

This is an idea I worked with many Members of the Senate on, of both parties. Senator SPECTER from my home

State of Pennsylvania has been very concerned about our dairy farmers as well over many years. Senator LEAHY worked hard on this issue in conference. I appreciate his work.

I am also very pleased that some of the amendments I worked on in committee are retained, such as the mandatory daily price reporting for dairy products, the feed and fuel cost being part of the so-called make allowances which are very important to balance between what happens to our farmers and what happens to processors.

Specialty crops were mentioned before. In our State, fruits, vegetables, and other speciality crops have never had the kind of focus this bill provides.

International food aid is part of this bill. I don't have time to go into that, but everyone knows that prices have enveloped the world. Almost one-fifth of the nations of the world are having problems that relate to food and security.

States such as Pennsylvania have been underserved by the Federal Crop Insurance Program for many years. This bill includes reforms that help producers in these States to increase the number of acres they have enrolled in the Crop Insurance Program.

The reform overall in this bill is very significant. There is $300 million in cuts to direct payments, reforms in the marketing loan program, it closes loopholes, reduces program abuses, on and on. These are changes that are made in this bill.

In terms of conservation, the Chesapeake Bay will be provided dollars to restore this tremendous natural resource.

The Conservation Farmland Protection Program is helped enormously.

I conclude with the nutrition program. This farm bill makes substantial investments in domestic food assistance programs and improves the Food Stamp Program for our families. Mr. President, 1 in 10 Pennsylvanians is currently receiving food stamps, and we have tremendous help for those families in this bill.

This is a good bill, and I urge my colleagues to adopt the conference report, and if the President vetoes it, we will override his veto.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CHAMBLISS. Mr. President, I yield 3 minutes to the Senator from Louisiana, Mr. VITTER.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I stand in strong support of this consensus, bipartisan farm bill, and I encourage all of my colleagues, Democratic and Republican, to show strong bipartisan support.

I support this bill fundamentally for three reasons: First, as the last farm bill, it establishes predictability for our farmers, a stable environment so they can plan and prosper in the future. Second, it does that in a fiscally responsible way—no tax increases, payment limit reform, and other reforms—to move us down the path of fiscal responsibility. Third, it does some very crucial and important work for Louisiana farmers in particular in a number of different areas.

In the area of sugar, we have a three-quarter of a cent loan rate increase, the first such loan rate increase since 1985. It is long overdue.

In the rice industry, the industry requested changes to the uniform loan rate for different types of rice to make that more uniform and helpful to the industry, and we have done that.

In the area of timber, there are tax provisions that reduce maximum taxes on gains from certain timber from 20 percent, the capital gains rate, to a maximum of 15 percent. That is enormously important.

In the area of milk, as my colleague from Pennsylvania mentioned, there are important improvements and provisions, changes to the MILC Program that will help domestic dairy farmers.

There are plenty of good, solid, responsible reasons to be for this bill. Fundamentally, it will create that predictability, that stability our farmers need to plan into the future and to prosper into the future, which is good not just for them but for all Americans, including Americans as consumers, which, of course, is all of us.

I encourage all of my colleagues to support this bill. I encourage President Bush to reconsider his veto threat and not veto the bill. But certainly, if it is necessary, I will stand and vote to support overriding that Presidential veto. I encourage my colleagues to also be firm in that regard.

Mr. President, I yield the floor. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield 4 minutes to another valuable member of our committee, Senator BROWN from Ohio, whose signature on this bill is the option that farmers have on the ACRE Program. I thank him for all of his efforts in making sure we had that in the bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the Senator from Iowa for his terrific work as chairman of this committee, especially the work he does on conservation, nutrition, and for family farmers.

We have for many months been debating the farm bill, legislation that wears many hats, all of them important. It is an agriculture bill, it is a food bill, it is an energy bill, it is a conservation bill, it is a world development bill, and it is an economic development bill. Melding these priorities, each one critical to our Nation's future, is a profound accomplishment. I particularly applaud Chairman HARKIN for his work.

Last spring, I held a series of roundtables throughout Ohio and heard directly from farmers about what this year's farm bill should look like. They told me a safety net that lends stability to market segments buffeted by unpredictable costs and volatile prices is essential. Farmers need a safety net that makes sense, but it is important to understand that farmers are not looking for a handout. Rather, farmers are looking for assistance when prices drop or natural disasters strike.

This bill incorporates a safety net proposal I put forward with Senator DURBIN, the Average Crop Revenue Program, which will help family farmers in Ohio and consumers and taxpayers across the country by strengthening and diversifying the farm safety net. For the first time ever, farmers will be able to enroll in a program that insures against revenue instability, which, for many farmers, makes more sense than the traditional price-focused safety net.

Conservation programs were another frequent topic at the roundtables I held. One point is clear: Farmers do not want Washington rhetoric about conservation and alternative energy; they want commonsense programs and meaningful incentives, which this bill begins to provide.

As I traveled around Ohio, I met with Mark Schwiebert, a corn farmer in northwest Ohio, who will take advantage of the Average Crop Revenue Election Program. By targeting overall revenue rather than simply price, farmers can receive better protections against two things: natural disasters—therefore, low yield—and price volatility.

I met the same week with Ralph Dull, a hog farmer from Montgomery County who uses wind turbines to run his farm. Promoting sustainable farm-based renewable energy, such as the wind energy that Ralph's turbines produce, is another key element of the farm bill.

Encouraging these ventures will help expand and diversify U.S. energy sources, while invigorating rural economies.

During a roundtable in Chillicothe, I met with fruit and vegetable farmers who asked for more support as they provide fresh and healthy produce to Columbus and that region of the State.

The farm bill creates a new program, the Healthy Food Enterprise Development Center, that will connect local farmers to communities that need access to healthy, affordable food.

During a roundtable in Wayne County, I talked with dairy farmers such as Bryan Wolfe who told me about the difficulty he has had meeting rising feed costs. The bill provides relief for these dairy farmers by linking the dairy safety net to the cost of feed.

This bill does something else. It fights hunger. When the purchasing power of food stamps erodes, so does our Nation's progress against hunger. This bill increases food stamp benefits and indexes the benefits to inflation. Nearly 400,000 people in Ohio will receive additional benefits from this bill.

In Hocking County, OH, more than 2,000 residents went to the local food bank in a single day. That is over 7 percent of the local population. While we need to do more, this bill is a major step, especially in nutrition. We need to keep our eye on McGovern-Dole to make sure these dollars are available for nutrition all over the world.

But this bill moves us forward. Ohio's families need this farm bill, and Ohio's rural communities deserve this farm bill.

The PRESIDING OFFICER. Who yields time?

The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I have one more speaker. I think Senator HARKIN probably is prepared to wrap up. While Senator COCHRAN is on his way over here, let me make some comments relative to wrapping this up. We are finally here. This has been a long process. The Presiding Officer is a member of our committee and knows what we have been through to get to this point. It has been a lot of hard work, a lot of strong leadership on the part of the chairman, who has done a terrific job, as I said earlier.

My friend KENT CONRAD and I have spent countless hours together working through this extremely complex piece of legislation. I cannot say enough good things about his leadership, his intellect, as well as his understanding of what good agricultural policy is all about.

I want to thank also all of the members of the conference committee on our side, Senators COCHRAN, LUGAR, ROBERTS, and GRASSLEY. What terrific work they did. It was a long conference, having been begun back in December, and from December until now, we have met on a regular basis, and decisions that have been made were sometimes extremely difficult and very emotional. But what great leadership all of these Senators have shown.

To the other members of the committee on my side, Senators COLEMAN, CRAPO, Thune, and GRAHAM, again, we would not be where we are without their input. I thank each of them.

I also want to say a special thanks to Majority Leader REID and Minority Leader MCCONNELL. They have provided terrific leadership on both sides of the aisle. They have been extremely cooperative in allowing us to do the technical things we need to do, and at the same time to push Senator HARKIN and myself when we needed pushing. And we, again, would not be where we are were it not for their strong leadership, their cooperation. I thank each of them individually.

Following is a list of folks over at CBO I want to thank: Jim Langley, Greg Hitz, Dave Ull and the entire ag team at CBO, as well as Kathleen FitzGerald, Dan Hoople, Megan Carroll, Kathy Gramp, Tyler Kruzich, Kim Cawley, Teri Gullo, Sheila Dacey, Mark Booth, Zach Epstein, Andrew Langan, Lisa Ramirez-Branum, Burke Doherty, Amy Petz, Susan Willie, Sunita D'Monte, Matthew Pickford, and Mark Grabowitz.

As we go through the process of putting a bill like this together, we have to constantly call up CBO and ask them for immediate scores on portions of the bill, and I have to say, CBO has worked overtime to make sure they accommodated every single request we had, and they did it on rush-hour time. They have done a great job over there. I thank each of them.

Another thing we take for granted around here that we never should is the staff of this Senate. I want to say a particular thanks to Dave Schiapa and the folks on his staff, as well as to Lula Davis and the folks on her staff. This has been a partnership that so many people have talked about on both sides of the aisle from an Ag Committee standpoint, but it has also been a partnership between the staff.

I do not want to leave out our folks who show up every day early and stay late: our clerks, our Parliamentarians, who have been unbelievable. They are always here and provide us the professional leadership we need on the technical issues. To each of them, we say thank you.

At this time, I want to turn to Senator COCHRAN before I ultimately conclude. As I turn to Senator COCHRAN and give him 5 minutes, let me say as a former chairman of this committee, he is an icon in the ag community all across this great country. Senator COCHRAN has been a dear personal friend of mine for many years before I came to the Senate. As a friend and as somebody whom I looked up to when it comes to agricultural policy, it is my pleasure to turn to him now and to yield 5 minutes to him.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Georgia, the ranking Republican member of this committee, for his kind words and for his hard work and diligent efforts to bring us to a successful conclusion of this conference report.

The chairman of the Committee, Mr. HARKIN, has also been relentless and thoughtful in the way he has managed the responsibilities of the chairman of this committee through this very difficult task.

This was not an easy task. I applaud both of them for their leadership, their fairness, and their support for farmers' and ranchers' interests, and truly for the interests of all Americans.

I also compliment the staff members of the committee for their tireless work on this bill: Mark Halverson, the majority staff director of the committee and all of his staff who worked to resolve the many issues important to our region of the country; Martha Scott Poindexter, a former staff member of mine who is now serving as the staff director for Senator CHAMBLISS, deserves high praise for the successful efforts to help resolve the issues important to agriculture producers and the consumers in our State of Mississippi.

I also want to thank Vernie Hubert, Alan Mackey, Hayden Milberg, Cameron Bruett, Betsy Croker, Jane Anna Harris, Anne Hazlett, Matt Coley, Kate Coler, Patty Lawrence, Christy Seyfert, Dawn Stump, and Carlisle Clarke for their contributions to this effort.

This has been a team effort. I have been very fortunate to have had the pleasure and privilege of working with all of those I mentioned in the drafting and negotiation of this very important legislation.

Mr. President, the Food, Conservation, and Energy Act of 2008 strikes a careful balance between the many important programs within the farm bill. I am pleased that the bill continues the farm income safety net program developed in the 2002 farm bill. Farmers in Mississippi believe these programs have worked well to ensure an adequate support during times of depressed prices. Currently, our farmers are fortunate to be benefiting from strong commodities prices. However, we have learned from past experiences, that these prices can fall as quickly as they have risen and having a safety net in place is necessary for farmers to make the significant investments needed to operate.

Conservation is an important part of a farm bill. The continuation of programs such as the Wildlife Habitat Incentives Program, Wetlands Reserve Program, and Environmental Quality Incentives Program which have broad participation throughout Mississippi. Farmers understand how critical the environment is to the continuation of agriculture and the health of the community of which they live. The increased funding for these incentive based conservation programs will allow producers to adapt these programs with greater success to their land and provide real benefits for their good efforts.

The additional funding for nutrition programs will address many of the needs facing many of America's poor, children, and elderly. The nutrition programs authorized in this committee touch the lives of one out of every five people in this country, including over 37 million children. Also, I am pleased the conference recognizes the success of the fruit and vegetable pilot program and have expanded the program to all States.

There are many titles of the farm bill that are often overlooked but are important to agriculture and our rural economies. The research title of the farm bill is crucial to keeping U.S. agriculture a leader in food and fiber production. The streamlining of grant programs in the research title will allow for efficiency and oversight of the appropriated funds. The rural development title provides assistance to rural communities through housing assistance, rural broadband access, water and wastewater programs, and small

business development. I am pleased that the conference has maintained and improved upon these important programs.

The issue of payments limits is always a point of contention in every farm bill. The reductions in payment levels in this bill are a significant reform from the current payment limit rules. The payment limit levels in this bill will result in a significant hardship for many producers in Mississippi. Some of the best, most diversified producers in Mississippi will be ineligible for income safety net programs. It is important that the supporters of stronger payment limits understand that this will not reduce farm bill spending. The land will be farmed by another producer and be eligible for program benefits. The adjusted gross income limitation has the effect of moving one farmer off the land and putting another farmer in their place. The Government doesn't ask other businesses to go out of business if they grow and expand, why should farmers be treated differently?

Again, I want to thank Senator HARKIN and SENATOR CHAMBLISS for their good work on this bill. I encourage my colleagues to support the conference report.

Mr. CHAMBLISS. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Georgia has 6 minutes 20 seconds remaining, and the Senator from Iowa has 5 minutes 40 seconds remaining.

Mr. CHAMBLISS. Mr. President, let me again thank Senator COCHRAN for his generous comments and for his leadership on the committee. He has been such a valuable member of the conference committee but, more than that, he has been a dear friend.

I want to continue to acknowledge the hard work of a number of folks on the other side of the aisle. We had Senator BAUCUS, chairman of the Finance Committee, who worked so closely with Senator GRASSLEY and every member of the conference committee on our side of the Capitol to try to find the funding for this bill. It is completely offset as scored by CBO.

In addition, he worked out a very fair and equitable tax package for agricultural issues, and I emphasize that, to be included in this farm bill. And it is that particular amount of spending that has been totally offset as scored by CBO. So Senator BAUCUS and Senator GRASSLEY deserve an awful lot of credit.

To my good friend, Senator BLANCHE LINCOLN, what a real ally she has been to all of us on the committee. Senator STABENOW has been a tireless worker from a conference committee standpoint.

This truly has been a bipartisan effort. But the real work hard that has been done on this bill—the policy decisions are made by the membership—was done by the staff.

I say to Mark Halverson and Susan Keith, and all of the members of the minority committee, how much we appreciate them for their hard work, their commitment to agriculture. Beginning in December, after these folks had worked so hard to get the bill done and to get the bill to the Senate floor, their real work began. Every single day since this bill was passed, including weekends, these folks have been working tirelessly to try to accommodate the policy decisions the Members have been making. It has been an unbelievable process. Without their hard work we simply would not be here.

Senator COCHRAN thanked all of the members of my staff, and I will not go back through those again. They know how much I love them and how much I appreciate them. But to Martha Scott Poindexter, Vernie Hubert, and Hayden Milberg I owe a special thanks, because they have had to put up with me and me telling them what they needed to do and when they needed to do it. And that is not an easy task from their side. So I have tremendous appreciation for all of the staff who worked so hard to make this happen today.

There are some other staff members I particularly want to acknowledge because they have been, again, tremendous and they have been right there side by side with all of the Ag Committee staff from day one. That is Amanda Taylor, Elizabeth Paris on Senator GRASSLEY's staff; on Senator BAUCUS's staff, John Selib, Brandon Willis, Rebecca Baxter, Kathy Kock; on Senator LINCOLN's staff, Ted Serafini; and on Senator CONRAD's staff, Tom Mahr and Jim Miller. Tom and Jim particularly have been involved with my staff since literally about a year ago in attempting to craft the farm bill that ultimately came to the floor of the Senate. They have been tremendous in providing us numbers, providing us information to help Senator CONRAD and myself make policy decisions. To those two gentlemen, I want to say a special thanks.

This bill is going to finally come to a vote on the conference report. This is not a perfect bill, as has been said by several different folks here. There have been some folks who stood up and pointed out some objections they have to the bill.

This is my third bill, two as a Member of the House and now one as a Member of the Senate. All farm bills are extremely controversial. All farm bills are portrayed by the media as being a giant welfare program for farmers.

Nothing is further from the truth, particularly in this farm bill. In this farm bill, about 11 percent of the outlays are projected to go to farm programs, 11 percent, and 74 percent of the outlays are going to go for nutrition programs to feed hungry people in this country. We have an obligation, as the richest and most abundant, from a food standpoint country in the world, to take care of those folks who are in need, and we are doing so in this bill.

In addition, we are providing conservation measures that are going to save the land, save rural America from being developed in many areas where it ought not to be developed. We are also going to make sure that we provide future generations with alternative energy sources, and that we do it in the right way.

I want to close by making a comment on the point of order Senator GREGG made. He knows how much respect I have for him. He did a terrific job when he was chairman of the Budget Committee and now as the ranking member.

Again, he is doing a good job. He knows I have tremendous respect for his position on any issue relative to the budget. But here is what I wish to explain to my colleagues. His point is that we are going to spend more money above the budget than we actually say we are going to spend.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHAMBLISS. I ask unanimous consent that we have an additional 4 minutes equally divided between Senator HARKIN and myself.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right, I ask for an additional 2 minutes as well.

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

The Senator from Georgia.

Mr. CHAMBLISS. If anybody in this body can tell me today what the price of corn, cotton or soybeans is going to be 5 or 10 years from now, then we would not have to worry about projecting exactly what the expenditure, from a budget standpoint, in this farm bill is going to be. The fact is, we can't even project what the price of corn and soybeans and other commodities is going to be tomorrow, much less what we can predict it will be 5 years from now. In fact, the 2002 farm bill, which is currently in place, had the same budget point of order made against it in 2002, when it was passed. The fact is, in that farm bill, not only did we not spend what was projected to be spent, but we spent between $15 and $18 billion less than what was projected to be spent. The reason is that commodity prices have been high; therefore, payments coming out of Washington have been either nonexistent or very low. That is where the $15 to $18 billion in savings has come from. In this bill, as long as commodity prices remain high, again, farmers are going to have what they want, which is their stream of income coming from the marketplace versus Washington. Washington is going to have what we want, which is a reduction and limitations on payments going to farmers. The budget point of order, obviously, is correct in saying we don't know exactly how much money is going to be spent under countercyclical programs. That is the nature of farm bills. But the fact is, we spent less under 2002. We are going to spend less under this farm bill, in all probability. But we cannot say that for certain. Therefore, I urge my colleagues to vote in opposition to the

budget point of order and to vote in favor of the underlying bill.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Iowa.

Mr. HARKIN. How much time remains on this side?

The PRESIDING OFFICER. The Senator from Iowa has 8 minutes. The time of the Senator from Georgia has expired. Senator GREGG has 2 minutes.

Mr. HARKIN. I will let Senator GREGG go first, so I may finish debate on the bill.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I understand that as chairman of the committee, Senator HARKIN should have the right to complete his statement. I am happy to proceed at this time.

I would simply make the point, in response to the discussion about this bill and the budget, there is no way anybody with a straight face can represent that this bill is fiscally responsible in the context of the budget. When this bill left the Senate, it was at $285 billion. It is now at $300 billion. This bill has $18 billion worth of gimmicks in it. The tax years are changed for corporations to pick up money. There is an attempt to adjust programs so some basically disappear after a certain number of years on the theory that then they would not score, knowing full well that those programs are going to be continued. We also have a situation where this bill violated the pay-go rules of the House and would violate the pay-go rules of the Senate, to the extent they are ever enforced around here, if we had passed the Senate budget.

The irony is that this bill comes to the floor before the budget, which was voted on and voted in favor of by the Democratic membership. That Democratic budget is violated in this bill. I have to tell my colleagues, if a Democratic budget, which spends a heck of a lot of money, is violated, then, obviously, the bill itself is spending a lot of money. In addition, it uses gimmicks such as custom user's fees. It uses gimmicks such as this adjustment of pay-go. It ends up, even using all those gimmicks, $18 billion worth of gimmicks, still with a budget point of order against it which is legitimate.

The budget is violated. This bill spends money outside the budget. That budget point of order should not be waived.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Iowa has 8 minutes.

Mr. HARKIN. Mr. President, let me bring to a close this debate on the farm bill. First, let me recap. This is not called the farm bill. It is called the Food, Conservation, and Energy Act for good reason—because 67 percent of all the new money in this bill goes to nutrition to help low-income Americans, to help our kids in school get a better diet of fresh fruits and vegetables. We also lifted the childcare cap that has been there since 1993. Right now it is $175 a month. The average cost of childcare is $631 dollars a month. We have lifted the cap on childcare deductibility for those low income Americans who need food assistance. Let me read this quote from Second Harvest, Vicki Escarra, president of America's Second Harvest:

> On behalf of our nation's food banks, I urge Senators to vote in favor of this hunger-fighting farm bill for the millions of low-income Americans on the brink of catastrophe, facing some of the most difficult economic times they have had to endure in years. I urge Senators to support this vitally important and necessary legislation.

On specialty crops, we have done more on specialty crops than any farm bill before. We put a new title in this bill, almost $3 billion going to fruits and vegetables, horticulture, all the things that, again, lend themselves to a healthier diet and a healthier America. There is also a quote from the organization supporting specialty crops that says in part: This farm bill represents a sea change in U.S. agriculture policy and a historic investment in the future of the fruit and vegetable producers across this country. We have taken a bold step to expand the fresh fruit and vegetable snack program to all 50 States, which makes certain this farm bill doesn't just help farmers but helps schoolchildren have greater access to fruits and vegetables. ''This is truly a win-win for both agriculture and the public.'' On livestock, we improved the protections for livestock producers when they make contracts. I wish to publicly thank my colleague from Iowa, Senator GRASSLEY, for making sure we had those provisions in this bill. The country of origin labeling now will go into effect this fall so we will know where our meat products come from and, finally, we will have the interstate shipment of State-inspected meat after all these years. On conservation, we have done more for conservation in this bill than any farm bill ever passed, almost 41 percent of all the money that is paid to agricultural producers will be paid through conservation programs to protect our soil, wildlife habitats, and clean water.

Lastly, I showed this picture yesterday. I show it again. This is the countryside that we want where farmers can plant and grow crops, but they do it in an environmentally sound way, with clean water and clean streams, with buffer strips, wildlife habitat all across the country. That is what is so good about this bill because we have improved the conservation programs.

This is a bipartisan bill. In fact, I got a note this morning that our former Secretary of Agriculture, Mike Johanns, has now said he would vote for the bill. He would support it.

In all my years here—this is my seventh farm bill in 30-some years—I have never seen so many groups come together to support a farm bill, over 500 groups. Farm groups, conservation groups, hunters and fishermen, energy groups for renewable energy, antihunger groups, religious groups—I have never seen such a broad coalition of over 500 groups in support of this bill. Now we have the former Secretary of Agriculture saying he would support it. All these groups support the farm bill. The President says he wants to veto it. Evidently, he is right and everybody else is wrong. I beg to differ. This is a great bipartisan bill.

We keep hearing from people: Why can't you people work together, quit bickering, get things done? We did that here. We worked together in a year and a half to produce this great product.

I wish to especially thank my ranking member, Senator CHAMBLISS, for all his great work. Senator CHAMBLISS reminds me a little bit of old Senator Sam Ervin, who used to say ''I am just a poor, little old country lawyer from the rural South.'' Senator CHAMBLISS may say something like that, but I can tell you he is one smart, intelligent, good negotiator. He brought this farm bill forward when he was chairman. I couldn't have asked for a better partner and working relationship in getting this bill through. I can honestly say, without any fear of contradiction, had it not been for Senator CHAMBLISS and all his hard work, we would not have gotten the 79 votes we got for this bill in December. The fact that I think we will have an overwhelming vote today is a tribute to Senator CHAMBLISS's leadership and hard work on behalf of all agriculture. One thing I will say about Senator CHAMBLISS, he is a proud conservative. The only thing he is liberal about is giving out those Georgia peanuts. I want him to know, I appreciate those peanuts.

Let me thank all the members of our committee. In particular, I thank the members of our conference committee. I mentioned Senator GRASSLEY, who worked so hard on the Finance Committee portion of the bill; Senator BAUCUS, who as chairman of the Finance Committee got the money for us. I wish to especially thank Senator CONRAD, our budget chairman, for his expertise, knowledge, diligence. Senator CONRAD was there for every meeting. He hung in there on this farm bill from the beginning to the end. We could not have gotten where we are without the help, the support, the knowledge, the expertise of Senator CONRAD. I wish to say, again, that the farmers and ranchers of North Dakota have no better fighter for them, no stronger advocate than they have in Senator CONRAD. I can tell you nothing escapes his attention. When it comes to fighting for the farmers and ranchers of North Dakota, Kent Conrad is always in the lead.

I wish to publicly thank him and his staff for all the help on this bill.

Senator LEAHY, the former chairman, who also fights for Vermont farmers, especially dairy producers. He had a great seat at this table. He made sure

we took care of dairy farmers and nutrition. There is no stronger fighter for our dairy farmers and nutrition than Senator LEAHY. Senator LINCOLN, who chairs our Subcommittee on Production, Income Protection, and Price Support, a strong advocate for Arkansas rice and grain and oilseed farmers. Senator LINCOLN is a strong fighter for rural residents, people who live in small towns and communities. Senator STABENOW, another conferee I am now going to refer to as the Senator of specialty crops, because it was Senator STABENOW's strong advocacy that led to the first-ever inclusion of a specific title for specialty crops in this bill and nearly doubled the support for it.

Lastly, let me reach across to the other Chamber and thank Congressman PETERSON from Minnesota. We have been working together on this over a year, Saturdays and Sundays, and weekdays and nights, on the phone. I also want to thank Congressman BOB GOODLATTE. What a great companion he has been to fight for conservation and rural development, working hard to bring forth this bill.

Again, they say the art of good legislation is cooperation and compromise. We had good cooperation between parties, between the House and the Senate, and we have a farm bill we can all be proud of.

Mr. President, I ask unanimous consent that a letter from over 500 organizations supporting the Food, Conservation, and Energy Act of 2008 be printed in the RECORD.

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

MAY 13, 2008.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: As the U.S. House of Representatives prepares for final consideration of the 2008 Farm Bill, the organizations listed below strongly urge you to vote in favor of the Conference Report.

Communities across the nation, from urban to rural have been waiting too long for this legislation. The Conference Report makes significant farm policy reforms, protects the safety net for all of America's food producers, addresses important infrastructure needs for specialty crops, increases funding to feed our nation's poor, and enhances support for important conservation initiatives.

This is by no means a perfect piece of legislation, and none of our organizations achieved everything we had individually requested. However, it is a carefully balanced compromise of policy priorities that has broad support among organizations representing the nation's agriculture, conservation, and nutrition interests.

Our organizations applaud the strong bipartisan leadership demonstrated in Congress to authorize and approve a strong new five-year Farm Bill. Sound policy and long-term certainty are absolutely essential to everyone served by the Farm Bill, and the final Conference Report provides both.

Again, we urge you to support communities across America—rural, urban and suburban, by voting in favor of the 2008 Farm Bill Conference Report.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, I raise a point of order under rule XLIV, paragraph 8(a), section 12034 of the farm bill conference report violates this rule in that it is a new directed spending provision.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I move to waive paragraph 8 of rule XLIV with respect to all provisions of the conference report to accompany H.R. 2419, the Food, Conservation, and Energy Act, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

GREGG POINT OF ORDER

The PRESIDING OFFICER. The question is now on agreeing to the motion to waive section 203 of S. Con. Res. 21 against the conference report.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

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

I further announce that, if present and voting, the Senator from Minnesota (Ms. KLOBUCHAR) would vote ''yea.''

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

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

The yeas and nays resulted—yeas 74, nays 21, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—74

Akaka	Dorgan	Murray
Alexander	Durbin	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Graham	Pryor
Biden	Grassley	Reed
Bingaman	Harkin	Reid
Bond	Hutchison	Roberts
Boxer	Inhofe	Rockefeller
Brown	Inouye	Salazar
Brownback	Isakson	Sanders
Byrd	Johnson	Schumer
Cantwell	Kennedy	Shelby
Cardin	Kerry	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Cochran	Leahy	Stevens
Coleman	Levin	Tester
Conrad	Lieberman	Thune
Corker	Lincoln	Vitter
Cornyn	Martinez	Webb
Craig	McCaskill	Whitehouse
Crapo	McConnell	Wicker
Dodd	Menendez	Wyden
Dole	Mikulski	

NAYS—21

Allard	DeMint	Hatch
Barrasso	Domenici	Kyl
Bennett	Ensign	Lugar
Bunning	Enzi	Murkowski
Burr	Feingold	Sessions
Coburn	Gregg	Sununu
Collins	Hagel	Voinovich

NOT VOTING—5

Clinton	McCain	Warner
Klobuchar	Obama	

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 19. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the subsequent two votes on this agricultural matter be 10 minutes in length.

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

MCCASKILL POINT OF ORDER

The question is on agreeing to the motion to waive paragraph 8 of rule XLIV against the conference report.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

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

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—62

Akaka	Dorgan	Murray
Alexander	Durbin	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bennett	Grassley	Pryor
Biden	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Isakson	Rockefeller
Brown	Johnson	Salazar
Byrd	Kennedy	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shelby
Casey	Kohl	Smith
Chambliss	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Coleman	Leahy	Stevens
Conrad	Levin	Tester
Craig	Lieberman	Webb
Crapo	Lincoln	Whitehouse
Dodd	Menendez	Wicker
Dole	Mikulski	Wyden
Domenici	Murkowski	

NAYS—34

Allard	DeMint	Martinez
Barrasso	Ensign	McCaskill
Bayh	Enzi	McConnell
Bond	Feingold	Roberts
Brownback	Graham	Sessions
Bunning	Gregg	Specter
Burr	Hagel	Sununu
Carper	Hatch	Thune
Coburn	Hutchison	Vitter
Collins	Inhofe	Voinovich
Corker	Kyl	
Cornyn	Lugar	

NOT VOTING—4

Clinton	Obama
McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 34. Three-fifths of the Senate duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Ms. CANTWELL. Would the Senator yield to me for purposes of a colloquy?

Mr. HARKIN. I would be pleased to yield

Ms. CANTWELL. Section 8105 of this bill authorizes the Secretary of Agriculture to ''provide free of charge to Indian tribes any trees, portions of trees or forest products from National Forest Service land for traditional and cultural purposes as long as those products are not used for commercial purposes.'' Several Indian tribes in Washington State are successors in interest to tribes and bands who were signatory to treaties with the United States which expressly reserved the right to gather forest products from lands which currently include National Forest System lands. These treaties are regarded as the supreme law of the land and cannot be modified by Congress unless Congress clearly intends to do so. Am I correct that section 8105 is not in any way intended to modify or supersede the treaty rights of these tribes?

Mr. HARKIN. The Senator is correct. Section 8107 of the bill contains a ''savings'' provision that explicitly states that nothing in this legislation ''alters, abridges, diminishes, repeals, or affects any agreement between the Forest Service and an Indian tribe''. Section 8105 of this bill does not in any way affect valid treaty rights of tribes to gather forest products from National Forest System lands.

Ms. CANTWELL. I thank the Senator.

• Mr. MCCAIN. Mr. President, despite my great admiration for America's hardworking farmers and my support for additional food aid for our Nation's most vulnerable, I must oppose the conference agreement to H.R. 2419, the Food and Energy Security Act, also known as the farm bill. I recognize that in the days ahead, attempts will be made to use my opposition to this bill for another's political gain, but I have always worked to do my best for America and that is why I must oppose this conference report. And, the American people deserve to know the truth about this farm bill: It is a bloated piece of legislation that will do more harm than good for most farmers and consumers.

In today's economy, when hardworking American families buy groceries they feel the sting of misguided Federal agriculture policies. Instead of fine tuning our farm programs to improve their efficiency, we have allowed them to swell into mammoth government bureaucracies that generally exist to serve special interests at the behest of congressional benefactors. Sixty-nine years after the Great Depression and the advent of the farm bill, well into the 21st century, commodity prices have reached record highs. I believe American agriculture has progressed to the point where we no longer need government grown farms.

Don't misunderstand. I am not opposed to providing a reasonable level of assistance and risk management to farmers when they need America's help. Farmers never abandon America, and America mustn't abandon them. When a farmer suffers from a natural disaster such as droughts or floods, they rightly deserve assistance. But they need a hand up, not a hand out.

The American taxpayer has been told before that farm bills and their thirst for subsidies were a necessary evil to provide our country and the world—with affordable, abundant food. Today, as food prices reach historic highs, they're being told the same thing. We must challenge that notion as grocery bills soar, food banks go bare, and food rationing occurs on a global scale. We must question policies that divert over 25 percent of corn out of the food supply and into subsidized ethanol production. Do Americans really want a support system that costs consumers $2 billion annually in higher sugar prices? Will we truly reduce our dependency on foreign oil by extending tariffs that make it too expensive to invest in sugar ethanol production? Can we honestly demand fair and free trade at Doha while domestic cotton growers dump subsidized cotton on the world market?

The farm bill conference report is expected to cost taxpayers around $289 billion. According to the Congressional Budget Office, this bill will exceed the government's budget by $10 billion. But the administration points out that with clever accounting made famous by congressional budget dodgers, the real cost of the bill will exceed the government's budget by about $18 billion. And even though Democrats and Republicans in both Chambers have promised to rein in pork barrel spending, this bill betrays that promise. Buried within its hundreds of pages are special favors like: $170 million bailout for the west coast salmon industry included at the insistence of the Speaker of the House; $93 million in special tax treatment for race horses; $260 million in tax cuts for the timber industry; $15 million for asparagus growers. During debate on the Senate farm bill last year, my colleague Senator GREGG offered an amendment, which failed, to strike this provision. This is a crop that has never before received farm subsidies; $175 million would be transferred to Bureau of Reclamation for activities at three Nevada lakes; $500,000 to the Walker River Paiute Tribe for legal and professional services in support of settling tribal water claims. Other tribes have dealt with water rights without a half million dollar earmark; $5 million for joint planning and development activities for water, wastewater, and sewer facilities by the city of Fernley, Nevada, and the Pyramid Lake Paiute Tribe.

The bill authorizes a myriad of grant programs including grants for research into pig genetics, grants for the preservation of historic barns, and $300 million for the Sun Grant Program, which provides grants to 6 universities and science centers that conduct bioenergy research.

Twenty million dollars goes to the collection and storage of seeds for research purposes; $75 million for a crop research facility in El Reno, OK; $35 million to promote the production of ''hard white wheat.''

A $4 billion disaster assistance package on top of an existing crop insurance program that's subsidized by the Federal Government. And these are only a few examples of the questionable provisions expected to hit the President's desk.

As you may know, farm subsidies were originally designed to ensure farmers get a fair return on their labors, but the majority of subsidies go to large commercial farms that average $200,000 in annual income and $2 million in net worth. Indeed, these payments aren't going to the average hardworking American farmer working in the Heartland. This farm bill actually increases subsidy rates for some crops and a majority of those payments are funneled only to a few staple crops. During debate on the Senate farm bill last fall, I proudly cosponsored an amendment which would have capped subsidies for farmers whose income exceeds $250,000. That amendment, which was rejected, was written by Senators BYRON DORGAN of North Dakota and CHUCK GRASSLEY of Iowa—two distinguished colleagues who understand rural America better than most. Instead of fixing a system that provides farm payments to millionaire land owners, sometimes when they don't grow anything at all, Congress ignored the cries for reform from small farmers themselves. In fact, this farm bill contains a phony payment limit designed to allow farmers to earn up to $750,000 and $500,000 off the farm before hitting any subsidy ceiling. Astounding.

This Congressional feeding frenzy is tragic because other areas of the bill have merit, like the increased funding and focus on food assistance and nutrition programs. In particular, the bill would index food stamps to reflect the current cost of living and fill shortfalls in the Emergency Food Assistance Program. Unfortunately, the bad outweighs the good in this bill.

More than hand-outs, more than ballooning disaster payments, the families and small businesses throughout the Heartland are demanding affordable quality health care, better education for their children, lower taxes, and relief from government regulation. Rural America has seen farm bill after farm bill passed without policies that adequately promote economic development or address population loss. We must improve rural life, provide high-tech connectivity essential for jobs and education, open trade markets, maintain our competitiveness, and reduce overregulation for farmers and ranchers.

For now, we need to put an end to flawed government policies that distort the markets, artificially raise prices for consumers, and pit producers against consumers. We have once again failed farmers in that regard, which is why I oppose this bill.•

Mr ENZI. Mr. President, I wish today to speak about the farm bill conference report. Without a doubt, our Nation's rural communities are in need of a new national agricultural policy. Since the last farm bill was passed in 2002, there have been substantial changes in agriculture and this bill is needed to keep American farmers and ranchers on track during a time of growing demand on our food system. In recent weeks, I have come to the floor to ask my colleagues to do something about health care, do something about high energy prices, and today I am asking that we do something for our agricultural producers.

When this farm bill passed the Senate in December, it passed with substantial support. Today we are considering a farm bill that reflects that support and takes steps to improve American agriculture. That being said, for many agricultural producers this farm bill is coming months late and dollars over budget. The opportunity to consider a farm bill is rarer than an October harvest moon and lawmakers must take special care to ensure that the seeds we sow today will reap a bountiful harvest tomorrow. I wish to make the point that addressing the needs of both producers and consumers goes beyond the language of this farm bill. Successful farm policy begins with lower energy costs, affordable health care, and competitive domestic and foreign markets.

As the Senate considers this farm bill, the question that should be on all our minds is at what cost does this farm policy come to our producers, our consumers, and our country. This conference report comes to the floor at a time when U.S. farm income is expected to reach an all-time high of $92.3 billion. It is true that our Nation's producers are facing higher costs to fill their tanks, fertilize their fields, feed their livestock and pay for their health care. However, this farm bill does not go far enough to cut the subsidies handed out to the wealthiest of farmers. I supported and applauded the efforts of my colleagues when the Senate considered amendments to the farm bill in December to limit these payments. Family farms are the backbone of American agriculture and the farm safety net should only be extended to only those who are in the most need, not to those making nearly $750,000 a year. This farm bill balloons to nearly $300 billion because the conference report makes only modest cuts to the largest payments. There is nothing wrong with helping our farmers guarantee a safe and secure food supply, but that assistance does not deserve to go to farmers who fashion diamond studded coveralls and golden pitchforks.

It is not just a financial travesty that these payoffs to agribusiness are in the bill, it is a policy travesty because this farm bill does have some very good policy contained within its pages. Many of these provisions I have worked to pass for a long time, but like gophers in the garden, these payments to millionaires have ruined a good product.

I support provisions that were included in the farm bill that help livestock producers and come at no expense to the U.S. Treasury. For the first time, the farm bill contains a livestock title to promote competition and fairness in our agricultural markets. In the past, I labeled the farm bill as, ''Do No Harm, Do No Good'' for ranchers across this country. I said this because the farm bill never addressed the needs of hard-working independent livestock producers like those found in Wyoming. Well this farm bill includes something I have been working on since I came to the Senate 11 years ago and that is language to implement mandatory country of origin labeling, often referred to as COOL. COOL provides consumers with important information about the source of food and allows our livestock producers, who hands down produce the highest quality meats in the world, to remain competitive in a growing global market. No more excuses, no more foot dragging, the time is hot for COOL.

The livestock title also contains provisions that will improve the Livestock Mandatory Reporting Act by making market information easily accessible online and will improve the enforcement of the Packers and Stockyards Act by requiring the USDA to report annually on its investigations into violations. All important provisions for livestock producers who simply wish to have a fair and competitive market for their animals. I was disappointed to see that the conference committee left out an important provision that was passed by the Senate last year, just as it did in 2002. The ban on packer ownership was an important step in ensuring that independent livestock producers have access to markets in light of growing consolidation among meat packers. Finally, I would like to address language in the livestock title that promotes the ability for local ranchers to market their product across State lines when processed at State-inspected plants. The interstate meat inspection language is critical for the small mom-and-pop processing plants who meet Federal standards but cannot afford to pay for a full-time Federal inspector. These facilities, that already meet rigorous state inspection standards, will now be able to sell specialized products across State lines and ultimately help producers find value-added marketing opportunities for their livestock.

For Wyoming and a number of other Western States, another provision in this bill that costs little but yields significant results, is this Nation's investment in animal health programs. I was pleased to see language that makes brucellosis a high-priority research initiative in the U.S. Department of Agriculture and clarifications for the Animal Health and Disease Research Program that provides vital applied animal research to producers on the ground.

For conservation, this bill makes significant improvements to the incentives and financial assistance offered to land owners who use the Environmental Quality Incentives and Conservation Reserve programs. I am especially pleased to see that the CRP program offers additional assistance to beginning farmers and ranchers since we all know that one of the greatest challenges to the future of agriculture is attracting young people into the industry.

There are some positive changes made in the farm bill, but the conference report clearly lacks alternatives and only makes small steps to improve the condition of agricultural producers across our country. One alternative that I would like to present to my colleagues is to continue promoting new markets for American agricultural products through trade overseas and develop better markets domestically by promoting fair and competitive markets for our livestock producers. In addition to these steps, there are scores of things this Congress can do today to ease the burden on rural America that cannot be solved in farm legislation. The Senate should take action to address the cost of rising energy costs and more importantly reduce the cost of health care for Americans. For the past several months, I have come to the Senate floor to speak about my 10 steps to transform health care in America and policies to lower energy prices by increasing supply and developing domestic sources of production. All of these things being said, this country desperately needs a new agricultural policy, and I hope that we will not stop merely with this farm bill. Sound farm policy goes beyond commodity payments and nutrition programs. It begins with providing the men and women sitting in the saddle with affordable energy, affordable health care, and fair and competitive markets to sell their products.

Mrs. BOXER. Mr. President, I rise in support of the farm bill conference report.

The bill takes many positive steps to level the playing field in American agriculture by recognizing the importance of specialty crops to the nation's economy and the need to provide more funding for programs that promote renewable energy, protect our environmental resources, and keep our children healthy.

This is by no means a perfect bill, but it is a great improvement over our current, outdated farm policy that for too long has hurt California's farmers and growers.

California is the Nation's largest agricultural state, with more than 350 different crops worth $32 billion per year. Yet our State has been largely overlooked when it comes to the billions in federal support for agriculture.

For the first time, the farm bill is recognizing the importance of specialty crops to our Nation's economy.

Included in the Senate bill is mandatory funding for specialty crops block

grants, organic farmers, farmers market programs, trade assistance and foreign market access programs, the community foods program, and important specialty crops and organics research.

The bill also provides over $1 billion in funding for the Fresh Fruit and Vegetable Snack Program, expanding participation in the program to all 50 States. This program provides a critically important strategy in the fight to prevent and reduce childhood obesity by providing as many as 3 million low-income elementary school children in 5,000 schools nationwide the ability to receive a fresh fruit or vegetable snack every day at school.

Numerous studies have indicated that eating fruits and vegetables can prevent cardiovascular disease, diabetes, cancer, and hypertension, in addition to obesity. Yet less than one out of every six children eats the USDA recommended amount of fresh fruit, and only 1 out of 5 children eats the recommended amount of vegetables. The funding included in the farm bill will ensure that schools in California and in every State in the Nation can implement this important child nutrition program.

Also included in the nutrition title are much needed modernizations and updates to the food stamp assistance program. The bill not only renames this program as the Supplemental Nutrition Assistance Program, or SNAP, but it also provides critical improvements that will greatly help families in need. As a result of deep cuts to the Food Stamp Program in the mid-1990s, the purchasing power of families' food assistance benefits has eroded greatly over time. The farm bill invests significant resources; $5.4 billion over the next 10 years, to end that erosion and partially restore benefit levels that have been lost. The bill increases the minimum SNAP benefit to $14, up from the current $10, and indexes that level to future inflation. The bill also increases assistance to families with high childcare expenses by allowing a full deduction for childcare expenses in calculating family income and benefit levels.

And with our Nation's food banks experiencing unprecedented shortages during this period of high demand for supplemental food assistance, the bill nearly doubles the amount authorized for the Emergency Food Assistance Program, providing $1.25 billion over 10 years and providing $50 million in emergency money for food banks currently enduring severe shortages.

The farm bill also provides an important opportunity to increase protection of our Nation's natural resources and its open space. Farmers can enroll in a number of conservation programs that allow them to provide habitat protection for native species, protect wetlands and grasslands, and undertake initiatives to make their farms more environmentally friendly—but the last farm bill did not do enough to provide farmers with the resources they need to fully participate in conservation activities.

In 2004, California had a $143 million backlog in payments and enrollments in conservation programs due to lack of funding and low acreage caps. An average of 4,000 farmers and landowners in California are rejected each year when they apply to USDA conservation programs. Sixty-eight percent of California's farmers seeking Environmental Quality Incentives Program, EQIP, funding turned away. Nationwide, $18 billion worth of conservation applications have gone unfunded during the life of the 2002 farm bill.

As a result of inadequate funding for conservation programs, California is rapidly losing thousands of acres of farmland and open space. Ninety-five percent of the wetlands in the Central Valley have been lost, and 171,000 acres of farmland were lost in California from 2002 to 2004.

The conference report takes important steps to provide farmers with more access to conservation programs, and while I am disappointed that more funding was not included, the $4 billion in new spending will allow many more farmers and landowners in California to participate in important resource protection programs like the Wetlands Reserve Program, the Grasslands Reserve Program, and EQIP.

I am also grateful that the conferees pushed back against efforts to restrict full-time farmers from participating in conservation programs. The purpose of conservation programs is to encourage farmers and landowners to provide a public benefit by protecting their land from development, and in the future we must ensure that income eligibility caps are not applied to conservation programs, as these would be very detrimental to resource protection efforts in California.

The farm bill also authorizes a number of programs that will benefit California's rural communities, such as low-interest loans to rural electric cooperatives for renewable energy production and grants and loan guarantees to develop broadband access in rural areas.

I am also pleased that the bill contains significant investments for farm-based energy, including the development of cellulosic ethanol. I am concerned about the impact of corn ethanol on food and feed prices, especially in light of the fact that alternative, renewable fuels can be created from a number of other agricultural sources, many of which are produced in California. This farm bill takes great steps to encourage the development of cellulosic fuels that can be produced in California by providing loan guarantees to encourage farmers to grow biomass crops and incentives to drive the advancement of commercial scale biorefineries for advanced biofuels.

The conference report also includes important reforms to commodity programs, including the elimination of the three-entity rule, a direct attribution requirement, and income means tests to prevent very wealthy farmers from receiving certain commodity payments. I would have liked to see some additional reforms, but the conference report represents a positive first step in the effort to improve and update our commodity programs.

I would also like to thank Chairman HARKIN and the conferees for including a number of provisions I authored into the farm bill.

Air quality improvements in agricultural areas: In rural areas around the country, smog and soot are threatening public health, fouling communities, and reducing crop productivity from pollution generated on farms. I joined forces with Congressman CARDOZA to include language authorizing a new program in the existing Environmental Quality Incentives Program, EQIP, that will allocate $150 million in funds over the next 5 years toward air quality mitigation efforts in agricultural communities with poor air quality. USDA has invested money in California since 1998 that has produced measurable and permanent pollution reductions in a region that has some of the worst air quality in the Nation. With this new program in place, these efforts can be expanded in California and replicated throughout the Nation.

Pollinator Protection Act: This provision authorizes up to $100 million over 5 years for high priority research dedicated to maintaining and protecting our honey bee and native pollinator populations. There has been a loss of about 25 percent of the Nation's honey bee population, and it is estimated that crops nationwide that depend on a healthy honey bee and native pollinator population are valued near $18 billion.

Protecting sugar beet farmers and hundreds of jobs in Fresno County: I helped negotiate a change in the national sugar allocation program that will provide a sugar beet grower cooperative in the Central Valley with the necessary allocation to continue growing sugar beets and keep the Mendota sugar refinery open. The grower cooperative is working to purchase the sugar refinery from an out-of-state owner, and if successful, they will keep the refinery operating and save 400 full-time and seasonal jobs in Fresno County, where the March unemployment rate was 11.1 percent.

Pest Detection and Surveillance Act: This provision authorizes $407 million to give USDA the authority to enter into cooperative funding agreements with States to enhance their pest and disease detection and surveillance programs and increase inspections at domestic points of entry, implement pest trapping systems, and create pest eradication and prevention programs, among many other pest detection and surveillance initiatives. This program will help protect California's agricultural economy from harmful pests and diseases and keep our farmers competitive.

Preservation of 40-year-old meat inspection laws: The House-passed bill included language that would allow meat and poultry plants to forgo Federal inspections in favor of more lax and uneven State-run inspections—potentially putting the health of millions of Americans at risk. I worked with Senator HARKIN, consumer groups, and labor unions to protect the integrity of the Federal meat inspection process. In the wake of the largest recall of beef in our Nation's history, Congress should be working to strengthen food safety standards, not rolling back the Federal Government's crucial role in protecting our people.

Agricultural watershed enhancement: The Sacramento River watershed and other national regional watersheds have been identified by conservation groups as watersheds most in need of water quality and water quantity enhancement. I worked to ensure that the Sacramento River watershed is treated as a priority-funding area.

Protection against use of harmful pesticides: I led an effort to prevent the inclusion of language that would have jeopardized the ability of conservation managers to encourage the use of the safest, least toxic, and most environmentally friendly pesticides in carrying out activities under key farm bill programs. The House-passed bill included this harmful provision at the urging of pesticide manufacturers, and it would have tied the hands of local managers to encourage viable alternatives to pesticides that can be harmful to our air, water, wildlife, pollinators, and human health.

Edible schoolyards: The bill strengthens the Access to Local Foods and School Gardens Program by supporting the development of school curriculum that teaches the principles of ecology, origins of food, and promotes healthy food choices. This language supports the replication of the successful Edible Schoolyard Program in Berkeley, CA. The bill also includes $50 million over 5 years in mandatory funding for the Community Foods Program, which funds programs like edible schoolyards.

I also worked with Chairman HARKIN and the conferees to include an avocado marketing order agreement, a national study on biofuels infrastructure, language prioritizing edible schoolyards programs in schools under the Community Foods Program, and a $15 million asparagus market loss program to help growers in California.

This bill had significant and widespread support from stakeholders in California and throughout the Nation. I want to recognize and thank the groups from my State that expressed their support for the bill. These groups include Western Growers Association, California Farmers Union, California Farm Bureau Federation, California Grape and Tree Fruit League, California Cattlemen's Association, California Rice Commission, California Citrus Mutual, California Association of County Agriculture Commissioners, California Association of Winegrape Growers, The Wine Institute, California Rangeland Conservation Coalition of California, California Apple Commission, Nisei Farmers League, California Kiwi Commission, Merced-Mariposa Cattlemen's Association, Northeast California Farm Credit, Blue Diamond Growers, Buy California Marketing Agreement, California Dried Plum Board, California Fig Institute, California Fresh Fig Growers Association, California Strawberry Commission, California Table Grape Association, California Walnut Commission, California-Arizona Watermelon Association, Grower-Shipper Association of Central California, Sunkist Growers, California Association and Nursery and Garden Centers, California Association of Wheat Growers, California Association of Food Banks, Alameda County Community Food Bank, California Food Policy Advocates, California Hunger Action Coalition, California School Employees Association, Catholic Charities, Diocese of Stockton, Coalition of California Welfare Rights Organizations, Congregation Emanu-El, Desert Cities Hunger Action, Emergency Food Bank Stockton/San Joaquin, Food Bank Coalition of San Luis Obispo Co., Food Bank of Monterey County, Food Bank of Contra Costa and Solano, Food Bank of San Luis Obispo County, FOOD Share, Inc., Fresno Metro Ministry, Fresno Community Good Bank, Grace Resource Center, HRC Food Bank, Calaveras County, Imperial Valley Food Bank, Insight Center for Community Economic Development, Interfaith Council of Amador, Oceano Community Center, Peggy Cole Ministries Int'l, Redwood Empire Food Bank, San Luis Obispo County YMCA, San Luis Obispo Food Bank Coalition, San Luis Obispo Supported Living, Inc., Transitional Food and Shelter, Inc., Transitions Mental Health Association, Village Community Resource Center, Los Angeles Regional Food Bank, Stockton Food Bank, Oakland Insight Center for Community Economic Development, Greater Stockton Emergency Food Bank, Second Harvest of Santa Clara County, Second Harvest of Santa Cruz County, Second Harvest of San Benito County, Second Harvest of San Mateo County, Food Bank for Humboldt County, Community Action Partnership of Orange County, San Francisco Food Bank, San Diego Hunger Coalition, Alameda County Community Food Bank, and Eureka Food for People.

This farm bill is important for California's farmers, families, its environmental resources, our consumers, and for the State's economy, and I am pleased support it.

Mr. LAUTENBERG. Mr. President, I rise today to speak on the farm bill conference report, which would provide unprecedented amounts of funding for nutrition programs and food stamps. These programs are vital, especially in this time of high food prices and our struggling economy. The farm bill invests nearly $396 billion over 10 years into the Food Stamp Program, which is nearly $10 billion more than current law. In addition, for the first time this farm bill recognizes that the minimum benefits provided through food stamps should be indexed for inflation, so they increase as the cost of living increases. We have a responsibility to help those who are most in need, and this farm bill recognizes that.

This farm bill also makes substantial investments in Conservation Program. With the high price of land in New Jersey and the competitive markets facing New Jersey's farmers, there is a great incentive to over-farm and not enough money to implement the best environmental practices. Providing $2.4 billion for programs like the Environmental Quality Incentive Program, EQIP, will help farmers bring their products directly to market while preserving their land for the future and without taking a toll on the environment. This is a dramatic improvement from the Senate-passed bill, which did not include any funding for this program. New Jersey's farmers frequently utilize EQIP to improve the environmental condition of their farms, and the increase of funding in this conference report is critical.

This farm bill also recognizes for the first time the importance of fruits and vegetables to our health and to our agricultural economy. New Jersey is the second largest producer of blueberries and the third largest grower of cranberries. These crops are not only nutritious, but they are vital to New Jersey's economy. This farm bill makes major investments for fruit and vegetable growers, as well as purchasers. It provides nearly $500 million to the Specialty Crop Block Grant Program, which provides assistance to these farmers—an increase of approximately $200 million over the Senate-passed farm bill. It would also provide over $1 billion for the Fruit and Vegetable Snack Program, which provides healthy, nutritious fruits and vegetables to our schools, so that our children can avoid the health risks of a poor diet.

Finally, this farm bill takes incremental steps towards providing the kind of real reform that our Nation's agricultural policy needs. It imposes payment limitations to restrict farmers above certain income levels from being eligible for commodity payments, and it reduces spending for direct payments by over $300 million. These reforms are a significant improvement from the Senate-passed bill, and I thank the bill's managers for responding to the increasing chorus of calls for farm bill reform.

I still believe that we need more substantial reform of our agricultural policy and that the FRESH Act that I offered on the Senate floor with Senator DICK LUGAR would provide that much needed reform. I will continue to work with Senator LUGAR and all of my colleagues in the Senate to replace the

current system of subsidies for just a handful of crops and implement a system that benefits all crops. And I will continue to advocate and fight for a policy that provides more incentives for the production of healthy foods such as fruits and vegetables. While the farm bill that has emerged from conference is by no means perfect, it is better than the farm bill the Senate originally passed, and I intend to support it.

Mr. KOHL. Mr. President, I intend to support this conference report and encourage my colleagues to do likewise.

Achieving consensus on farm bills is a notoriously difficult task. For all their hard work on this measure, I want to express my appreciation to Chairman HARKIN, Ranking Member CHAMBLISS, and the talented staff who put in long hours to get us to this point.

The end result of these hard-fought negotiations is a better safety net for dairy producers in Wisconsin and across the Nation. This bill restores and strengthens the original MILC Program, which was a hard-won effort designed to end regional dairy battles and provide a safety net for small and midsized producers. Since its implementation 6 years ago, MILC has proven to be a critical backstop for thousands of family farmers when milk prices plummet. The ''feed cost adjuster'' included in this bill acknowledges that rising feed costs have become a real challenge for dairy farmers. My colleague and friend Senator LEAHY and his staff played a pivotal roll in guiding these provisions and I commend their work.

This measure also moves forward in allowing interstate commerce in State-inspected meat products. This has been a significant priority for me. Wisconsin has more State-inspected plants run by Main Street entrepreneurs than any other State in the Nation. They make great products. At a time of further proposed market concentration among major slaughterhouses, we ought to find a way for these smaller entrepreneurs to safely expand their markets and compete across State borders. Doing so will be good for livestock producers, consumers, and Main Street businesses.

The nutrition title of this bill is also noteworthy. It incorporates urgently needed updates to the Food Stamp Program, to be known hereafter as the Supplemental Nutrition Assistance Program. Over the years, low-income households have suffered erosion of benefits due to inflation. The current minimum food stamp benefit has not been raised in over 30 years. This bill raises the minimum benefit and indexes it to inflation. It removes disincentives for retirement and education savings and takes childcare costs into consideration when calculating eligibility. It strengthens support for food banks and will help get more fresh fruits and vegetables into our schools.

The conference report includes a compromise on easement valuations under the Wetlands Reserve Program, WRP. Administrative changes to the WRP have diminished its usefulness in Wisconsin and other parts of the Nation, and these changes are intended to correct that problem. This is an area, like several others, where I intend to closely monitor the USDA's implementation of the law

I am very pleased that the 2007 farm bill conference report includes the authorization of funds for the Housing Assistance Council. HAC is a nonprofit organization that is dedicated to the development of affordable rural housing. The Housing Assistance Council offers loans and technical support to local nonprofit entities across the country to develop safe and affordable housing in rural communities. With nearly one-fifth of the Nation's population living in rural communities and 7.5 million of that population living in poverty, decent affordable housing is in short supply. HAC provides the necessary tools to create and develop housing opportunities in areas of our country that are often overlooked.

This bill, like any bill, has shortcomings in some people's eyes. Many of us wish more could be done to reform payment limits and target benefits. But at the end of the day this bill is superior to extension of current law and makes some meaningful improvements in critical areas.

As chairman of the Senate Agriculture Appropriations Subcommittee, I have the honor and responsibility of working on a farm bill each year in the form of an annual appropriations bill for the USDA. There are a number of provisions and programs in this measure which are directly tied to discretionary, appropriated funding. Of course, the subcommittee's ability to act on those objectives in the appropriations process is directly tied to the resources made available to the subcommittee. I look forward to working with my colleagues and the executive branch as we try to balance all of these critical health, safety, conservation, nutrition, research, and rural development objectives.

Mr. MCCONNELL. Mr. President, as this Senate takes up the farm bill conference report, I want to share with my colleagues several important ways that this bill will benefit the farmers and the people of Kentucky.

Agriculture generates $4 billion in cash receipts in Kentucky every year. We rank fourth in the Nation in the number of farms per State, and 54 percent of Kentucky's acreage is farmland. We are the largest beef-cattle producing State east of the Mississippi, and we produce a diverse array of crops. So the contents of this report are very important to Kentucky.

I received a letter this week from the Kentucky Farm Bureau reiterating this bill's importance to Kentucky and America. They wrote, ''While the bill is not perfect, it is a carefully crafted bill . . . that continues to provide a solid foundation for American agriculture to continue production of food and fiber not only for Americans, but the world.''

Because agricultural production varies greatly across my State, Kentucky benefits from a wide array of conservation efforts, including the Conservation Reserve Program, the Environmental Quality Incentives Program, the Wildlife Habitat Incentives Program, the Farm and Ranch Lands Protection Program, and others.

As a supporter of conservation efforts with a long record of working to protect Kentucky's natural resources, it is important to me that this conference report continues to support these initiatives.

Approximately 50 percent of Kentucky's land is forested, so it was important that this legislation open many USDA conservation programs to forest landowners. That will yield improved air quality, cleaner drinking water, and less soil erosion, among other environmental benefits to our State.

Kentucky also has an interest in the production of renewable fuels; this conference report includes important incentives to spur the growth of this industry as well.

On another note, I am glad the conference committee has seen fit to include my provision addressing the need for better nutrition for our schoolchildren. I cast the deciding vote to save the School Lunch Program in 1995, and educating our kids about the food they eat remains a priority.

This provision calls on USDA to survey what schools are serving to our children. This information will help USDA provide guidance to schools to serve healthier meals and it is sorely needed, as USDA's most recent data on this question is over a decade old.

In the last 30 years, the childhood obesity rate has more than tripled. Today, over 4.5 million American children are facing a lifetime of all the increased health risks that obesity causes. This nutrition provision can be the first step towards reversing that unfortunate trend.

Let me also note that this conference report retains a number of provisions I authored to support Kentucky's largest agricultural product, the horse industry. While the world's eyes focus on Kentucky one day each year for the running of the Kentucky Derby, I point out to my colleagues that the horse industry employs 50,000 Kentuckians and contributes $3.5 billion to our economy year-round. I want to ensure this important part of our farm economy is treated fairly.

On one final topic, I would be remiss if I didn't mention my disappointment that this bill will unfairly punish Kentucky's small farmers by making all farmers with less than 10 base acres ineligible for farm payments. That disproportionately hurts Kentucky because we have such a high proportion

of small farms. I am concerned this punitive portion of the bill will have broader consequences than the authors realize and will punish some of those farmers who might be most in need of assistance.

However, the good appears to outweigh the troubling aspects of this conference report, and a lot of Kentuckians will benefit from the many important programs that are promoted and preserved in this bill. I will support it and by doing so, support the hardworking farmers in Kentucky who are feeding our Nation and the world while providing a living for so many citizens in America.

Mr. WARNER. Mr. President, I rise today in support of the conference report to H.R. 2419, the Food and Energy Security Act of 2007.

I am pleased to vote in favor of passage of the conference report, as this legislation includes a number of programs of paramount importance to the Commonwealth of Virginia, including the creation of the Chesapeake Bay Watershed Program to replenish the bay.

Virginia, Maryland, and others in the Chesapeake Bay Watershed have worked diligently to implement programs to reduce nutrient run-off and other sources of pollution that enter the Bay, all in an effort to achieve a cleaner Chesapeake Bay. The Chesapeake Bay Watershed Program will provide the Federal assistance necessary to support regional and State efforts to reach this important goal.

In addition, this bill will enhance conservation across the United States. Its provisions, such as technical assistance and conservation easements, will help protect more land for preservation and environmental initiatives.

Also, I note that provisions of this conference report provide greater research support and assistance for growers of specialty crops and significant changes to the nutrition title to promote better health for schoolchildren and increase support for our Nation's food banks.

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

• Mr. OBAMA. Mr. President, I urge my colleagues in the Senate to join me in supporting final passage of the farm bill conference report.

I would like to thank the Senator from Iowa, Mr. HARKIN, for his leadership in crafting this 5 year, $289 billion bill, which, for the first time, directs more than two-thirds of the spending towards nutrition and food assistance. It provides a strong safety net for farmers, and gives them the certainty needed in a sector that provides an important human resource—food—amidst the unpredictable dynamics of weather and markets. The bill provides stronger financial support for conservation programs and needed improvements for livestock producers when dealing with the packing industry.

It is not a perfect bill, but it is a good bill. Of particular note is $10 billion in new spending for food assistance programs for low-income individuals, which is particularly timely in this period of high food prices. Potential recipients are no longer disqualified because of child care or if they have money saved in tax-deferred education or health care accounts. For the first time, food assistance is indexed for inflation, and for the first time in 30 years, the minimum monthly benefit is increased from $10 to $14. This is good news and will help reach more of the 35 million Americans who struggle each day to feed their children and families.

The bill provides $4 billion in new conservation spending, with greater focus on working lands. It provides a more fiscally responsive approach to disaster assistance funding by establishing a permanent program.

The bill also recognizes our national priority to begin shifting to greater production of cellulosic ethanol as part of our biofuels mix. The bill includes an important tax incentive for cellulosic ethanol production—first proposed by my colleague from Indiana, DICK LUGAR, and myself. There are also several incentives that will help to establish croplands dedicated to cellulosic feedstock production, and concurrent research and development towards these objectives.

I am particularly pleased that this legislation includes a program authored by my esteemed senior colleague from Illinois, Mr. DURBIN, which creates a new optional revenue-based program for farmers, called the average crop revenue election, a forward-thinking initiative that will help Midwestern corn growers.

No, this bill does not include the level of reform to farm programs that I think was warranted. I believe that the payment and income limitations could have gone much further. The bill does, however, provide long overdue improvements to existing law. It stops the remarkable practice of sending payments to deceased farmers. It ends the so-called three entity rule, which was the abuse of manipulating current law by collecting triple payments. It requires direct attribution of farm payments to a person, rather than a company or an entity. And it refocuses the original intent of farm payments to serve as a safety net to those who need it most by ending payments to individuals who make more than $750,000 in farm income or $500,000 in nonfarm income.

And this bill provides important relief to America's black farmers. For far too long, our country's hardworking African-American farmers were discriminated against by the Federal Government and county committees, which denied them credit and benefit programs because of their race. This injustice ran deep and had devastating effects.

Because so many of these farmers were denied credit and benefits, the number of African American farmers from 1920 until the early 1990s declined by almost 98 percent. During this time, too many African-American farmers saw their land foreclosed upon or were forced out of farming altogether.

In 1999, the Department of Agriculture settled a class action lawsuit with African-American farmers in the case of Pigford v. Glickman, which allowed many of these farmers to file claims against the USDA for failing to respond to racial discrimination. A Federal court approved this settlement as ''a good first step towards assuring that this kind of discrimination that has been visited on African American farmers since Reconstruction will not continue into the next century.'' This Pigford settlement brought relief to more than 20,000 Black farmers.

Yet the USDA underestimated the number of potential claimants and gave inadequate notice to farmers about the Pigford settlement. Therefore, many farmers were unable to file their claims before the filing deadline. About 75,000 additional African-American farmers who filed their claims of discrimination after the filing deadline were denied any opportunity to have their claims heard and evaluated on the merits.

That is why I introduced legislation in the Senate to provide tens of thousands of eligible late Pigford claimants a right to go to court and have their cases heard. Thanks to bipartisan support by the Senate Agriculture Committee, this legislation is included in the conference report before us today.

Again, I thank Senator HARKIN for his efforts on this important legislation, and I call on my colleagues to support it.•

Mr. NELSON of Florida. Mr. President, I rise today in support of the conference report to accompany the Food, Conservation, and Energy Act of 2008. It is a good bill for Florida and I commend Chairman HARKIN, Senator CHAMBLISS, Chairman BAUCUS, Senator GRASSLEY, and the members of both committees for all of their tireless work to pass this bill.

First and foremost, this bill provides a substantial increase in food assistance to our Nation's low-income families. Nearly three-fourths of the total spending of the farm bill goes in fact to nutrition programs such as food stamps, now known as the Supplemental Nutrition Assistance Program. Not only do we increase purchasing power of these benefits but we also change how a family's need may be calculated; it will take into account childcare costs and education and retirement savings.

For the first time in history the farm bill also takes into account an agricultural sector that is of the utmost importance in Florida—specialty crops. Florida is the leading producer of citrus, tomatoes, cucumbers, snap beans, bell peppers, squash and watermelon, and is the second leading producer of strawberries, sweet corn, and greenhouse and nursery products. This legislation recognizes the importance of

crops such as these as an integral part of our Nation's food supply, and provides nearly $3 billion in research, block grants to states, pest and disease control, farmers' market promotion, and the Fresh Fruit and Vegetable Program.

Of similar importance are the strides made in this bill for conservation and energy programs. Florida's natural resources stand to benefit tremendously from increased funding for conservation, which will allow the State to optimize participation in land preservation, environmentally friendly land management practices, and easement programs. Correspondingly, the bill notably encourages advancements in cellulosic energy, which will allow us to explore the production of ethanol from agricultural products that we don't otherwise eat—products in which Florida is rich.

There are many significant improvements for Florida in this conference report. It is not a perfect bill, but it increases funding and support for integral programs while also making reforms to a sometimes abused system. It is a good bill for Florida, and I encourage the President to support it.

Mr. DURBIN. Mr. President, I rise to speak in support of the 2008 farm bill. I thank the chairman, TOM HARKIN of Iowa, and Senator SAXBY CHAMBLISS of Georgia for their leadership on this bill.

This is, on balance, a good bill, but it could be better. In particular, I am concerned that we were not more aggressive in making sure that the commodity program payments are targeted and justified. At a time when millions of middle-class Americans are struggling to keep up with higher gas prices, grocery bills, and health care costs, the Federal Government should not be in the business of sending checks to millionaire land owners.

Currently, most full-time farmers are eligible for farm subsidies regardless of income. Many of my colleagues and I began this process hoping that Congress would change this situation in the farm bill. Unfortunately, the conference agreement rejected all farmer income tests for the countercyclical and marketing loan subsidy programs and includes only a weak net income cap for direct payments: $750,000 for single farmers and $1.5 million for married farmers after all business deductions.

The conference report also waives payment limits for the Marketing Loan Program. The current cap is $75,000. Millionaire land owners are now eligible for unlimited LDP payments without any income test.

In addition, the bill puts in place provisions that shield our domestic sugar program from all international competition. Sugar growers secured an increase in price supports and a guarantee of 85 percent of the domestic sugar market at these guaranteed prices. This isn't reform and it isn't justified.

I am disappointed with other aspects of the bill as well.

There is less than $100 million in the bill for rural development. Rural communities are aching for water and wastewater infrastructure, high speed telecommunications, and financing for business development. This bill underfunds that key priority. In conference, a program designed to improve broadband deployment by providing cost-share assistance to statewide nonprofits was removed. This was a missed opportunity to improve access to broadband in rural areas at a time when the United States is falling farther and farther behind in this key area.

The bill provides marginal funding for agricultural research. The bill provides less than $100 million for the McGovern-Dole School Feeding Program, which uses U.S. commodities to feed some of the world's poorest children in schools.

However, the bill makes significant investments in nutrition, conservation, and renewable energy programs. It creates a forward-thinking revenue-based safety net. The members of the Senate Agriculture Committee can be proud of these components of the package.

The most significant impact of this package may be in the nutrition title.

In Illinois, over 158,000 households experienced hunger in 2005. If we include households that have had to struggle to put food on the table or have had to skip meals to make sure the food would last through the week, it adds up to 500,000 households in Illinois living with food insecurity. These are working families who just are not able to make ends meet.

This farm bill provides $10 billion more over 10 years for domestic nutrition programs that help lower income families put food on the table, including $7.8 billion for the Food Stamp Program, $1.25 billion for the Emergency Food Assistance Program, TEFAP, and $1 billion for the fresh fruits and vegetables snack program.

In Illinois, over the next 10 years, this bill will provide $373 million in additional funding to help families that haven't been able to outrun hunger.

In the Food Stamp Program, the bill will raise the standard deduction and the minimum benefit and index them for inflation. Nationwide, that helps 11 million low income people, including families with children, seniors, and people with disabilities. The adjustment to the standard deduction will increase benefits for 415,000 Illinois residents, and the minimum benefit increase will boost benefits for 27,000 Illinois recipients.

This farm bill also eliminates the cap on the dependent care deduction and no longer counts retirement accounts and education accounts toward the asset limit.

The conference report helps food banks and soup kitchens meet the growing demand for assistance by increasing funding for commodity purchases for TEFAP—The Emergency Food Assistance Program—by $110 million each year. The bill increases the availability of fruits and vegetables in low-income schools.

And, I am glad to report that this package includes a modified version of the Hunger Free Communities Act, a grant program I have long supported that will help fight hunger in communities. This antihunger grant program is the first program that will encourage communities to work together to identify and address hunger locally.

What we see here is strong bipartisan support to end hunger. Even with a war abroad and budget deficits at home, this Senate made the decision that progress against hunger is possible.

This farm bill makes another important investment, to protect open lands and restore habitat for future generations to enjoy. The USDA administers the largest conservation easement programs and this bill continues and expands those programs.

In Illinois, there are a total of 78,000 contracts statewide and more than 1 million acres in the CRP program, including more than 55,000 acres of wetlands. The Wetlands Reserve Program is aiding in what will become the second largest restoration of wetlands in the United States, in Emiquon in Fulton County, IL.

These open spaces provide important wildlife habitat and recreation benefits and prevent erosion of sensitive ground. The conservation title makes significant investments in the Wetlands Reserve Program, the Environmental Quality Incentives Program, the Conservation Security Program, and the Farmland Protection Program.

Unfortunately, a key provision that I originally authored in the 2002 farm bill to prevent over-planting on sensitive land, called Sodsaver, was significantly weakened in conference. These weak protections, combined what can only be called the most generous Commodity Title in history relative to market conditions, provides perverse incentives to overproduce, which will result in the breaking up of sensitive ground.

The investments made in conservation are tempered by the fact that we are missing an opportunity to protect wildlife and native habitats in some of the few areas that have never been farmed in this country.

Another important feature of the bill is that we were able to secure a modified version of a revenue-based safety net that Senator BROWN and I originally proposed last summer. The version in the conference report allows farmers to elect to enter into this program starting in 2009 and provides a revenue guarantee to producers in the program depending on market conditions and previous earnings.

It is a good step forward for Illinois producers and for the future structure of our commodity programs. At this time of high prices, the program provides producers a risk-management tool they can really use.

The energy title funds renewable energy technology, particularly focused on next-generation biofuels. These should diversify our energy portfolio and help us lower U.S. dependence on petroleum. America's heartland is poised to become this nation's power plant if we make the right investments in wind, solar, and bioenergy.

The bill provides $230 million for grants and loan guarantees to build and develop next-generation biofuels plants. It provides $250 million in loans and grants for smaller-scale renewable energy projects in rural parts of the country and about $200 million in cellulosic feedstock and harvesting research.

I do think we missed an opportunity to make further reforms, to invest in rural America, and to help address the international food crisis with a strong commitment to McGovern-Dole. But we also made important commitments to nutrition and conservation, and I thank Chairman HARKIN and the committee for their work.

Mr. FEINGOLD. Mr. President, I am pleased to have the opportunity today to support the farm bill conference report. This bill, while far from perfect, is an important step in the right direction in a number of areas. This incremental improvement in farm programs and significant improvement in nutrition is preferable to the President's proposal to extend the status quo for several more years. I would like to commend Chairmen HARKIN and PETERSON, Ranking Members CHAMBLISS and GOODLATTE, and the rest of the conferees and their staffs on their hard work over the past few months on this bill.

While I share the concerns I have heard from some Wisconsinites, as well as some of my colleagues, about the lack of reform to the commodity programs, I believe the good in this bill outweighs the bad. This bill makes significant improvements to programs that help farmers in Wisconsin every day, such as the Milk Income Loss Contract, MILC, Organic Certification Cost Share, and the Beginning Farmer and Rancher Programs. It is important to point out that for the first time the farm bill contains a separate title dedicated to nonprogram or specialty crops to assist a broader group of farmers with their pressing research and disease concerns, among other provisions.

The nutrition title of this bill makes significant steps forward in the fight against hunger in America. My colleagues and the American people are well aware of the erosion in food stamp benefits over the past decade. In this time of increasing food and fuel costs, which are crippling many low- and middle-income Americans, it is a moral imperative to act to increase these benefits. In addition, the $50 million in immediate funding for the Temporary Emergency Food Assistance Program will make a real difference for food banks in Wisconsin. I commend the conferees for recognizing the critical need for improvement in these programs and addressing it, despite the tight budget constraints we face.

I am extremely pleased that the bill makes improvements to the Milk Income Loss Contract, MILC, Program. Along with several of my colleagues, including Senator KOHL, I have called for the MILC Program's reimbursement rate to be raised to its original 45 percent. I also strongly support the feed cost adjustor that was including in conference to help ensure the MILC safety net can keep up with the rapidly rising costs of production. The MILC Program is an important safety net for Wisconsin's dairy farmers and one that operates in a responsible way—only kicking in and providing payments to farmers when times are tough. Further, the MILC Program caps the amount of payments one farmer can receive, ensuring that it helps small and medium farmers survive tough times without subsidizing expansion of larger farms. The improvements to this program are vital to farmers in Wisconsin.

I am also pleased that long-overdue oversight of energy markets is included in the final farm bill. It is past time to prevent market manipulation by energy traders. Energy market speculation is part of the reason we are facing high gas prices and the farm bill takes an important step to close the ''Enron loophole'' that has allowed oil and gas traders to make electronic energy trades without Federal oversight. We cannot allow energy traders to secretively bid up the price of oil and saddle Americans with the price at the gas pump. I am a cosponsor of Senator FEINSTEIN's Oil and Gas Traders Oversight Act that has been incorporated into the farm bill. In a February 2008 letter, a bipartisan group of my colleagues and I urged the conference to retain the Senate-passed provision in the final farm bill. Our letter stated: ''With energy prices at or near record high levels, farmers and foresters are struggling to fill their tractors, heat their homes, fertilize their crops, and transport their goods to market. It is critical that the Congress take advantage of this opportunity on the Farm bill to increase transparency and reduce the threats of manipulation and excessive speculation that have plagued our energy commodity markets over the past several years.'' I am pleased we succeeded.

The conference report included a number of provisions I included in legislation that I introduced last year, the Rural Opportunities Act, to help sustain and strengthen rural economies for the future, and create more opportunities in rural communities. I am pleased that the conference committee included a number of provisions similar to my legislation to support local bioeconomies and food markets, encourage local renewable fuels and biobased products, expand broadband Internet service in rural areas, and help develop the next generation of farmers, ranchers and land managers.

In addition, the bill includes significant improvements to programs supporting organic agriculture. Wisconsin has a number of organic farmers and consumers who will benefit from the extra funding for the Organic Certification Cost Share and Organic Transition Assistance Programs, among others. This farm bill is the first to recognize the specific challenges faced by organic farmers, particularly as more and more consumers seek out their products.

On a related note, I am pleased that the bill contains a provision similar to one I first proposed in 2006 allowing schools and other entities participating in Federal food programs to use local preference when purchasing products, which they are not currently allowed to do. This will allow schools to select in-season food grown locally, and will complement a number of programs, like the Fresh Fruit and Vegetable Snack Program, by providing a link between farmers and consumers, particularly children. This is better for farmers and consumers, Mr. President, and a commonsense reform that is long overdue.

For some time I have worked to keep dairy imports from free-loading off of the dairy promotion money paid for by our hard-working dairy farmers. I am glad that the conference report makes every U.S. State and territory eligible and allows this assessment to be charged on imports as was intended in the 2002 farm bill. I am somewhat disappointed that the payment rate for imports is less than that paid by domestic producers, but half a loaf is better than none. I will continue to seek to level the playing field.

In addition to the Agriculture Committee's portion of the bill, the Finance Committee also made a significant contribution to this legislation. I was glad that a provision similar to my Farmer Tax Fairness Act was included in the Finance portion of the conference report. This legislation will update the optional ability for farmers and other self-employed individuals to remain eligible for social security and disability benefits that had been eroded by inflation. It also indexes the program to inflation, so we are not in the same situation again sometime in the future.

I was also pleased that several of my amendments that were included in the Senate bill were included in some form in the conference report. First, in a continuation of an effort I began with Senator Jeffords in 1998, I am pleased that the Senate accepted my amendment to improve the authority of what we had called the Small Farm Advocate in a previous amendment. I continued this effort with Senator SANDERS, and while the conference report made this office a division within the new Office of Advocacy and Outreach, I expect that this will continue to help America's small and beginning farmers.

Ensuring transparency and fair competition in the dairy industry has been

a priority throughout my Senate career. Over the past year and a half, a couple developments showed a need for further action in this area. First, a GAO report on cash cheese trading that I requested with several of my colleagues confirmed that the market remains prone to manipulation even though there have been some improvements. Secondly, a sustained nonfat dry milk price reporting error that lasted over a year was found to have cost dairy farmers millions in reduced prices. I was glad to have an amendment accepted in the Senate that would require regular auditing of the dairy price reporting and require the USDA to better coordinate oversight of the dairy industry both within the department and with other federal agencies. The conference report retained the auditing requirement and shifted the improved oversight to a directive in the Joint Managers Statement. I hope that this added diligence and transparency can help give dairy farmers added confidence in the system.

As we look to expand our Nation's renewable energy and lessen our dependence on oil, we need to provide opportunities for farmers and rural communities. Several key elements of my Rural Opportunities Act supporting local bioenergy were included in the farm bill. One amendment I got accepted encourages the USDA's continued support for and the expansion of regional bioeconomy consortiums, which can consist of land grant universities and State agriculture agencies dedicated to researching and promoting sustainable and locally supported bioenergy. The final bill maintains report language supporting these consortia. I was also pleased to work with Senator COLEMAN on another ''rural opportunity'' provision, which is based on our legislation, S. 1813, to provide local residents an opportunity to invest in biorefineries located in their communities. The farm bill provision gives priority to grants and loan guarantees for biorefineries with significant local ownership. This bill also makes significant strides in providing increased support for cellulosic ethanol and other innovative solutions to the energy problems we face as a nation.

While Wisconsin is perhaps more widely known as a leader in milk and cheese production, we also lead the Nation in the production of cranberries and ginseng. I was glad to see a priority competitive research area for cranberries continue through the Senate bill and conference report. Similarly, I was glad that my legislation with Senator KOHL and Representative OBEY to require country of harvest labeling for ginseng was accepted as an amendment in the Senate and continued as country of origin labeling in the conference report. This is an important step to help combat mislabeling of foreign ginseng as U.S. or Wisconsin grown, which receives a premium price for its higher quality.

Overall, I was pleased that this bill provides a significant increase in conservation programs. I am particularly glad to see an emphasis on working lands programs like the popular Environmental Quality Incentive Program and an updated Conservation Stewardship Program, which benefit farmers and the environment. The farm bill also included provisions based on Senator WYDEN's Combat Illegal Logging Act of 2007, S. 1930, which I cosponsored, to address rampant, unsustainable illegal logging practices in developing nations. The bill also reauthorizes and the Great Lakes Basin Soil Erosion and Sediment Control Program and allows the Secretary of Agriculture to use this program to carry out projects to implement the Great Lakes Regional Collaboration Strategy. While I was disappointed that the funding levels of certain programs like the Wetlands Reserve Program were not what they should be and that the ''sodsaver'' provision was not a national protection, this bill is largely a step forward for conservation.

Continuing in the category of mixed results, I was extremely pleased to see the addition of a new livestock title in the bill to promote competition and fair practices in agriculture but was disappointed that many of the Senate's commonsense provisions were removed or watered down in conference. I am pleased that producers will be able to have a choice to accept or decline arbitration when they sign agricultural contracts under the conference report, even though I was disappointed that a stronger Senate provision that mirrors legislation I have with Senator GRASSLEY was not retained. On balance, this is a step in the right direction and I hope the USDA works to ensure that this remains a real choice for producers and there is no intimidation.

In addition to the handful of improved competition protections that will benefit livestock producers, the underlying bill contains two other provisions that are also especially beneficial. I was glad to support Senator KOHL's longstanding efforts to find a way for meat from small and often specialty State-inspected meat processors to be sold across State lines so that consumers nationwide can enjoy these high quality Wisconsin products. The conference report contains a compromise that appears to strike a fair balance on this issue and this is a significant benefit to Wisconsin's local livestock producers and processors. I was also glad that the conference report will finally allow a country-of-origin labeling requirement for meat and produce to be enforced.

While I have discussed at length the positive aspects of the legislation, let me be clear that the reforms in the commodity title should go further. I authored an amendment with Senator MENENDEZ to make modest trims to direct payments and was disappointed the Senate did not vote on it. In addition, I supported the Dorgan-Grassley amendment to lower payment limits, the Klobuchar amendment to lower the AGI cap, and the Brown amendment to trim subsidies for crop insurers. I was disappointed that these efforts to make the commodity support programs more balanced and better targeted toward family farms and not concentrate payments in larger corporate-scale operations were unsuccessful. With these defeats, both the Senate-passed bill and the conference report missed an important opportunity for meaningful targeted reform of the farm support programs.

There were some small steps in the right direction to be sure. Direct payments were trimmed by a few percent, excessive insurance company subsidies were trimmed and the cap on wealthy nonfarmers was lowered. But there was an opportunity to do much more and I will continue that fight.

One other provision I am concerned about is the cut to the McGovern-Dole International Food for Education and Child Nutrition Program. In light of food shortages across the globe, reducing the level of aid we provide to poor countries is simply wrong. I hope that, through the appropriations process, Congress will be able to continue providing funding for this important program.

Mr. LIEBERMAN. I rise today in support of the Food and Energy Security Act. The provisions of the conference report represent a tremendous step forward in ensuring the health of American consumers, for example by providing low-income citizens with better access to healthy food choices by increasing the amount of funding for nutrition programs, increasing food stamp payments, bringing more fruits and vegetables into schools, and providing assistance to low-income seniors so that they can shop at farmers markets. This bill also recognizes the important place that specialty crops have on the dinner table.

In addition to the benefits that Americans will see at their tables, this bill also provides unique opportunities to better the environment and look out for those who cannot speak for themselves. The bill continues to support land conservation and expands protection for wetlands, grazing land, wildlife habitats, and forests. The bill increases our investment in biofuels research and production so that we can move away from foreign oil, and instead use American-made cellulosic and sugar-based ethanol and biodiesel. It also strengthens protections for animals by quadrupling penalties for Animal Welfare Act violations and prohibiting dog fighting.

For these and other reasons I will support this farm bill legislation. However, I am troubled by the bill managers' use of the narrow provisions in the bill addressing agriculture security to expound in the Joint Explanatory Statement about the proper roles of the Departments of Homeland Security and Agriculture, and the performance of DHS, in this area. Allow me to address a few of my concerns.

The managers assert, for example, that DHS has ''claimed Federal jurisdiction as the lead agency'' for activities ''traditionally managed by USDA.'' This statement is unnecessarily dismissive and ignores numerous laws that establish the current Federal framework for addressing threats to agriculture and food security, a framework in which the Secretary of Homeland Security is the principal Federal official to lead and coordinate efforts among Federal departments and agencies, State and local governments, and the private sector to protect critical infrastructure and key resources in all sectors. Among the laws that make up the framework are the Homeland Security Act of 2002, the Intelligence Reform and Terrorism Prevention Act of 2004, Intel Reform Act, the Post-Katrina Emergency Management Reform Act of 2006, Post-Katrina Act, the Pandemic and All-Hazards Preparedness Act, PAHPA, and the Implementing Recommendations of the 9/11 Commission Act of 2007, 9/11 Commission Act. Various Homeland Security Presidential directives further undergird the current structure—including HSPD–5, Management of Domestic Incidents, HSPD–7, Critical Infrastructure Identification, Prioritization and Protection, HSPD–8, National Preparedness, HSPD–9, Defense of U.S. Agriculture and Food, and HSPD–10, Biodefense for the 21st Century.

Under these laws and directives, a number of agencies have responsibilities specifically relevant to agriculture and food security. These include the U.S. Department of Agriculture, USDA, which is responsible for infrastructure protection for the agriculture sector and matters pertaining to meat, poultry, and egg products; the Department of Health and Human Services, HHS, is responsible for the remainder of the food sector, as well as for public health and healthcare; and the Environmental Protection Agency is responsible for drinking water and water treatment systems. HSPD–9 details the roles and responsibilities of these and other Federal agencies regarding specific aspects of agriculture and food security, including awareness and warning, vulnerability assessments, mitigation strategies, and research and development. Since enactment and issuance of the aforementioned bills and directives, numerous activities to advance agriculture and food security have been undertaken throughout the Federal Government in reliance on, and within, this framework.

That said, I agree with the bill managers that USDA is the agency best equipped to handle routine agricultural disease emergencies. USDA continues to serve that function, and DHS relies on USDA to do so.

The managers also assert that agricultural inspections have degraded since the inspectors were incorporated into DHS—as required by the Homeland Security Act of 2002. This statement ignores the factual record:

> While there were initial problems, not entirely unexpectedly, integrating various components into one Department, the situation has improved dramatically, and the agriculture inspection mission has a clear roadmap for how to improve further. The number of agriculture inspectors has increased, as has the number of canine teams, beyond those at the time of the transition. The same high educational standards for agriculture specialists apply, but now they get more field training. The Customs and Border Protection, CPB, primary inspectors, which in their legacy roles have always been responsible for referring agriculture products to secondary screening, now get substantially more training to recognize products and pests that need further examination.
>
> The Joint USDA–DHS task force has outlined 10 concrete action plans for further improvement and is making considerable progress in implementing them. Last month, the joint agency task force met with agriculture stakeholders to further refine their recommendations and to draft new recommendations.
>
> USDA remains integrally involved in the inspection process, with continuing responsibilities for the training of CBP agricultural specialists and CBP officers, training of canine teams, setting rules and regulations for the agriculture inspection process, and for identifying the pests that CBP agricultural specialists intercept.

I do appreciate the managers' recognition that the agricultural specialists within CBP who are responsible for inspecting agricultural products at the border need to remain within DHS. The Homeland Security Act of 2002 brought together in the CBP directorate of DHS customs inspectors from the Treasury Department, immigration inspectors from the Justice Department, and agricultural inspectors from the Agriculture Department. The purpose was to create a single, integrated force at our borders to keep out people and goods that pose a threat. For the first time, all those who protect our borders report up a single chain of command. To do otherwise than to keep the agricultural inspectors within CBP would splinter the integrated border security force we have been building for 5 years, and weaken both our homeland and agricultural security.

The managers further suggest that DHS may not be placing sufficient priority on agricultural security and agricultural inspections and they appear to be concerned that DHS may not be paying sufficient attention to the concerns of the agricultural community. In fact, the agriculture mission has repeatedly received the highest level of attention. DHS Secretary Chertoff addressed the agriculture inspection stakeholders' meeting just last month. A directive reiterating the importance of the agricultural mission has been disseminated to every CBP office. A new position—the Deputy Executive Director, Agriculture Operational Oversight at Customs and Border Protection—has just been created to provide oversight of all agriculture inspectors no matter where they serve to ensure that mission needs are being met.

Finally, the managers suggest that USDA should oversee DHS's agricultural inspection program and issue comprehensive reports on it to Congress. I cannot recall an example of one executive branch department overseeing and reporting to Congress on another executive branch department. The proposal is unprecedented, unnecessary, and fundamentally misapprehends the roles of the respective independent departments, and threatens what has become a productive partnership between the agencies of the two departments.

Rather than pitting Departments against one another, we should be encouraging the cooperation between DHS and USDA that, in fact, is now occurring. USDA and DHS are working together to a greater extent than ever has historically been the case in the relationship between agriculture and border officials. While challenges remain, the current level of partnership should serve as a model for interagency cooperation.

With active participation by USDA and the Federal Drug Administration, FDA, DHS is assessing agro-terrorist threats, capitalizing on the substantial assets at its National Biodefense Analysis and Countermeasure Center and its connections with the intelligence community that have been applied to other biological and WMD threats to the Nation. USDA is also participating in the DHS-operated National Biosurveillance Integration Center, NBIC, authorized by the 9/11 Commission Act, to bring together information from multiple sources to detect and contain biological incidents as rapidly as possible.

The agricultural biosecurity communications center authorized by the bill, as the managers note, is expected to provide a central collection point for USDA generated information and to provide important information to DHS's National Operations Center, which acts as the central source for homeland security situational awareness for the Federal Government.

DHS and USDA also engage in research and development together to promote agricultural security. DHS's role includes its sponsorship of the National Center for Foreign Animal and Zoonotic Disease and its Plum Island Animal Disease Center at which both DHS and USDA researchers work collaboratively to address the catastrophic threat of foot and mouth disease.

The Office of Homeland Security at USDA, also authorized by the bill, should be helpful in coordinating the homeland security activities of the various offices and agencies within USDA, thereby providing a primary point of contact between USDA and DHS for agricultural security issues.

While I find the manager's statement troubling and unfounded, I have worked with the Agriculture Committee to ensure that the bill itself will not endanger homeland and agriculture security.

Mr. DODD. Mr. President, I rise today in support of the conference report on the Food, Conservation, and

Energy Act of 2008, a tremendously important piece of legislation that will set our Nation's agricultural policy for the next 5 years. It is an immense piece of legislation; and obviously, in any bill of this size, any Senator will find provisions with which he or she will disagree. I am no different. Nevertheless, on the whole it is a strong bill and a good compromise that my colleagues and their staffs have spent months preparing, and I hope, for the sake of our farmers and the country as a whole, that it will be approved by both Houses of Congress and signed into law by the President.

The 2008 farm bill strengthens the safety net for farmers struggling with abrupt shifts in the agricultural market. In many ways, these farmers are the backbone of our economy, and we must ensure that they are adequately protected. Included in this safety net is an expanded Milk Income Loss Compensation, or MILC, Program, which is of critical importance to dairy farmers in my home State of Connecticut and across the country. The farm bill conference report would increase the MILC Program's payment rate for dairy producers when the price of milk falls below a statutorily set target price; it also allows for adjustments of that price when the price of feed increases. In addition, this bill creates important protections for specialty crop producers by providing nearly $466 million over the next 10 years to the Specialty Crop Block Grants Program. This new initiative is especially important for farmers in the State of Connecticut, as nearly 47 percent of our agricultural receipts come from nursery and greenhouse products.

I am particularly pleased that the conference committee adopted much stricter income limits on commodity payments by significantly lowering the adjusted gross income test. To qualify for benefits, individuals would have to prove that they earn less than $500,000 per year from nonfarming sources and only up to $750,000 per year in farm income. These new income tests will help ensure that the farm bill's safety net programs actually help the people that they were originally intended for: those small, family farmers who make up the backbone of American agriculture and who operate all too often on razor-thin margins.

I am also very pleased by the much needed attention this bill gives to nutrition programs, particularly those that serve American families struggling on the verge of hunger or food insecurity. All told, this bill provides over $10 billion in new money for nutrition programs. It beefs up the Food Stamp Program by stopping benefit erosion and expanding eligibility, and it provides more than $1 billion in assistance to local area food banks. In addition, to help children develop healthier eating habits, this legislation extends to all 50 States a program that provides fresh fruits and vegetables to underprivileged schools. I have seen the success of the Fresh Fruits and Vegetables Program firsthand, in its Connecticut pilot test. I know how vital fresh produce is to the health of all Americans; in the case of underprivileged schoolchildren, those who need it the most have gotten it the least and I am glad this bill goes a long way toward correcting that disparity.

Finally, the farm bill conference report aims to preserve our fragile environment by funding critical land conservation programs and investing in renewable sources of energy. To help American farmers act as responsible stewards of the land they work, this legislation allocates nearly $8 billion in new funding to help farmers and landowners be better and more responsible stewards of the environment. This bill also includes provisions to encourage the production of domestic biofuels, including funds to promote biomass crop production, loan guarantees for commercial scale biorefineries, and dramatically increased funding for biomass research and development. The farm bill's energy title in particular is critical to ensuring that our country finally breaks its longstanding over-reliance on costly and environmentally harmful fossil fuels.

In sum, I am satisfied that the farm bill takes great steps to protect our struggling farmers, our low-income families and children, and our threatened environment. In my view, the farm bill embodies an approach to agricultural policy characterized first and foremost by a concern for the long-term well-being of all Americans. I therefore urge my colleagues to support this vital piece of legislation.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we don't often have the opportunity to celebrate on the Senate floor. There is oftentimes, we must acknowledge, a lot of acrimony and finger-pointing.

Today, I want to take a minute to express my appreciation to all those involved in this bill. We know there were Senators HARKIN, CHAMBLISS, BAUCUS, and GRASSLEY, but many other people were involved in this process to get us where we are today.

This is a tremendously important piece of legislation. This was dead on at least 15 different occasions, but it was revived. There was true bipartisanship—a true situation where we had conferences, where people met in open session and voted. It was what we all should come here to look forward to doing—legislating such as we did here.

This is a very complicated and difficult piece of legislation. Was there enough reform? I don't know how much is enough. Certain groups look at these farm programs, and there is nothing you can do to satisfy them. No matter what is done, it is not enough for them. Every time we do a farm bill, the editorial boards from around the country roll out the old editorials, they change a few lines and send out the same editorial they did before.

This bill has reform in it. Could we have done more? Perhaps, but had we done more, we would not have gotten a bill. What did we get as a result of the compromises made? We got nutrition. What a wonderful thing. We got food stamps. For us in Nevada this is important. Since 2000, the numbers of food stamps-qualified people have gone up more than 100 percent. We didn't change the rules to let more people into the program. They qualified under the old rules, and now, by more than 100 percent, that has been increased. This legislation takes care of that.

Children going to schools all around America, as a result of this legislation, will get fresh fruits and vegetables in their lunch programs. That is remarkable. There are people in this Chamber who didn't have the opportunity when they were kids in school to have fresh fruits and vegetables. That is the way it is all over America, especially with kids who grew up in these urban centers. Fresh fruits and vegetables are something they don't get often. This is wonderful.

Food banks, I have heard SHERROD BROWN and others talk about how the food banks are going empty. We have a lot of hungry people in America, and we have to acknowledge that. This farm bill acknowledges that. We are going to increase food bank money by $100 million each year. That is a lot of money. It is very important.

We have conservation. My friend, TOM HARKIN, has caused me so much grief on this conservation program. It was his idea to do some conservation programs. The administrations—plural—a lot of times didn't want to give him what he felt was the law. He held up a lot of things going on in the Senate as a result of that. So the conservation programs, because of the dedication of TOM HARKIN, are remarkable. I watched Senator HARKIN, last night, show the pictures of what takes place when there is good conservation. Now farmers and ranchers will be rewarded as a result of that. That is extremely important.

Even the State of Nevada will be able to compete for money in the conservation programs.

There are disaster programs. We in the West have been ravaged by wildfires. As a result of being ravaged, the Bureau of Land Management and other land managers close up rangeland, and there is nothing the ranchers can do; they close them up. They will now qualify for disaster relief, which is in this bill.

For the first time, this is going to be the case: compensation for wildlife damage.

One of the favorite talking topics is energy. This bill actually does something about it. There is a demand we stop using corn and other such items that are edibles to make fuel. This legislation recognizes that point.

I have talked about reform. This bill contains reforms. There are reforms on caps on payments to farmers. Remember, farm programs count for less than

13 percent of this bill's spending and are expected to climb by $60 billion over the next 10 years. That sounds pretty good.

This bill, as other important legislation, is one of compromise. That is what legislation is all about.

I know we have a lot to do. I extend my congratulations for this remarkable piece of legislation. This is how we should legislate. I am so appreciative of the bipartisan nature of this legislation. I look for a real big vote. I hope we have a strong vote indicating the bipartisan nature of this legislation.

The PRESIDING OFFICER (Mrs. MCCASKILL). The question is on agreeing to the conference report to accompany H.R. 2419.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 81, nays 15, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—81

Akaka	Dodd	McConnell
Alexander	Dole	Menendez
Allard	Dorgan	Mikulski
Barrasso	Durbin	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Biden	Feinstein	Pryor
Bingaman	Graham	Reid
Bond	Grassley	Roberts
Boxer	Harkin	Rockefeller
Brown	Hatch	Salazar
Brownback	Hutchison	Sanders
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Byrd	Isakson	Shelby
Cantwell	Johnson	Smith
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Landrieu	Stevens
Cochran	Lautenberg	Tester
Coleman	Leahy	Thune
Conrad	Levin	Vitter
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Martinez	Wicker
Crapo	McCaskill	Wyden

NAYS—15

Bennett	Ensign	Murkowski
Coburn	Gregg	Reed
Collins	Hagel	Sununu
DeMint	Kyl	Voinovich
Domenici	Lugar	Whitehouse

NOT VOTING—4

Clinton	McCain
Kennedy	Obama

The conference report was agreed to.

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

The motion to lay on the table was agreed to.

Mr. HARKIN. Madam President, we have had a very significant vote here on this farm bill. I will have to check the record, but this has to be one of the strongest votes for any farm bill in the history of farm bill legislation in the Senate.

It has truly been a team effort. It took a long time—about a year and a half; 2 years, actually. Senator CHAMBLISS, when he was chairman of the committee, started the whole process, so it has been a couple of years in the making. It has been a great team effort. As I said, we have all worked together. It has been a very long road with a lot of tough negotiations. We did it in a manner in which the people of this country want us to operate around here.

We worked hard and got the bill through committee. We brought it to the floor. We had our amendments, we had good debates in December, passed it at that time, then we went to conference. We had a good number of conference meetings, frankly. But they were good conference meetings. That is the way we ought to do legislation around here. The proof of doing it in that manner—in an open, cooperative manner, having all sides being able to have their viewpoints heard and input made—is that we came up with good legislation as an end product.

I want to thank and congratulate all of the members of the Agriculture Committee, on both sides, for all of their hard work in bringing this bill to this vote today. I especially want to thank Senator CHAMBLISS for his leadership in starting this off and then serving as the ranking member for the last year and a half and working so closely with me and others to get this bill done. I especially want to thank all the Senators who were conferees. There were some long sessions that went on for hours and hours and days and days. But we hung in there.

I will start with Senator BAUCUS and Senator GRASSLEY from Iowa, the chairman and ranking member of the Finance Committee, for their help in coming up with the funds we needed to put this bill together. Especially I thanked my colleague from Iowa earlier, but I want to thank him also for his diligent work and effort to make sure we had a good livestock, poultry, and competition title.

I see my good friend, KENT CONRAD. I said earlier, we certainly benefited from his expertise, his knowledge. It is wonderful having the budget chairman on the Agriculture Committee helps keep us on track so we know what we can and cannot do to stay within the bounds of the budget rules.

So I cannot thank Senator CONRAD and his staff enough for helping us comply with the budget requirements. I say to the people of North Dakota, the farmers, the ranchers, the people who live in your small towns and communities, I can honestly say I know KENT CONRAD well. And there is nothing that escapes his attention when it comes to the farmers and ranchers and rural people of North Dakota. They do not have a better fighter for their interests. I might even expand that further. Farmers and ranchers and rural people all over America have no greater a fighter for their interests than KENT CONRAD.

I see Senator STABENOW. I said earlier I am going to start calling her the Senator of specialty crops. We would not have had a specialty crop title in this bill if it had not been for Senator STABENOW. She is unique, the only person, as far as I know, who has served on the Agriculture Committees of her State legislature, the Agriculture Committee of the House of Representatives, and the Agriculture Committee of the Senate. And that expertise shows through, believe me, in what she has accomplished in this farm bill.

I see my good friend, Senator SALAZAR, who did so much to make sure we had a good energy title; that we start focusing much more on ethanol from cellulose.

Senator LINCOLN from Arkansas, a strong fighter for the rice farmers, her cotton, grain, and oilseed farmers. I might also say that Senator LINCOLN is a very strong fighter for nutrition programs and rural development. I thank her for all of her help on this committee.

I am going to read a list and recognize all of the staff members who work for me on the committee. They deserve to have their names in this RECORD because as hard as we worked, they worked three or four times as hard. A lot of times we went home at night and they were still here. A lot of times we were gone on the weekends, they were here.

And, of course, first and foremost, I would thank Mark Halverson. Mark has been with me on this committee since 1988. And he has brought a wealth of experience as a farmer in Iowa, and also as a lawyer. So he brings together a lot of knowledge and expertise in guiding and directing the staff. He has done a wonderful job. I cannot thank Mark Halverson enough for his patience, his leadership, and in juggling all of the balls and keeping tabs on everything. Mark Halverson has performed above and beyond the call of duty.

Susan Keith, our general counsel in commodities; Stephanie Mercier, our chief economist, trade and international food assistance and crop insurance; Phil Buchan, who worked so hard on conservation, and especially the conservation stewardship program and the EQIP Program; Eldon Boes, who came to us from the National Renewable Energy Laboratory. He has done so much work on the energy title.

Derek Miller—Derek came to us from the House side where he worked on the 2002 farm bill. He is probably the most knowledgeable person I have ever met on nutrition and how the nutrition programs work. And due in no small part to Derek Miller, we have a great nutrition title.

Richard Bender, a long-time member of my staff who handles rural development and the tax provisions; Todd Batta handled the forestry and credit titles; and John Ferrell, who did all of our livestock work and the programs for organic farmers.

Adela Ramos, who does a great job keeping track of all of the ag research and food safety; Dave White from Montana who as a detailee from the Natural Resources Conservation Service, was with us for a year and a half, and worked so hard on conservation; Dan Christenson, who did so much on specialty crops and helping with nutrition; Kerri Johannsen, who worked on energy; Tina May on conservation; Amy Lowenthal, who is our counsel providing legal advice on many issues.

Eric Juzenas, who came to us as a detailee from the CFTC for the reauthorization of the Commodities Exchange Act; Katharine Ferguson, who is a professional staff member who assists our staff director, Mark Halveson. We call her our ''utility player''. Whenever we need someone, Katharine is there. She can fill in for anybody and does it extremely well.

Kate Cyrul, our communications director; Bob Sturm, our chief clerk who retired last year. He was here for many of the hearings on this bill and came back to fill in periodically; Jessie Williams, our chief clerk who has done such a great job of succeeding Bob Sturm; Jacob Chaney, our systems administrator; Jonathan Urban, who did so much on the CFTC reauthorization, before he left the staff to head to law school. We wish him the best in law school. Peter Kelley, our assistant clerk and legislative correspondent, who sort of runs interference for all of us; Cory Claussen, our legislative correspondent; Micah Wortham, the Government Printing Office detailee who is here to make sure our documents are printed properly; Ellen Huntoon, who covers rural development and agricultural topics.

Now, again, I know that Senator CHAMBLISS has thanked all of his staff. I do not know every single person there, but I do know Martha Scott Poindexter and Vernie Hubert. I particularly want to thank both of them for their great efforts, for their leadership, and for all the time and the efforts and the weekends, the nights. You ought to take a vacation too.

Also, I want to thank the Office of Legislative Counsel, the Congressional Budget Office, the Senate floor staff, the Department of Agriculture staff. Now, I know the administration has not agreed with us on everything in this bill. But I have to say, the technical assistance provided by the Department was very helpful in putting everything together.

Again, I thank and congratulate all of the staffs of the Senators on our committee—especially Senators BAUCUS, GRASSLEY, CONRAD. I feel very good about this bill and the overwhelming vote. I still remain hopeful the President will sign this bill. Hope springs eternal that he will sign it. If he does not, I guess we will have to face that down the road. I hope we have the votes to override. Team effort, cooperation, conciliation, bipartisanship, those are the keys to successful legislation. I am gratified to have played this role in getting this bill passed.

Mr. KYL. Madam President, I voted against the Senate-passed version of the farm bill because it lacked the fiscal discipline required of Congress during a time of deficit spending and exponential growth of the Federal Government. Unfortunately, the conference report is just as unacceptable as the Senate-passed version of the farm bill. As a result, I cannot support it.

Congress first approved the Federal farm assistance policies in the early 1930s to help struggling farmers during times of economic hardship due to low commodity prices. Over the last six decades, however, the farm bill has swelled significantly, and now provides extensive subsidies for farmers and agricultural landowners who may not be in true financial need.

The conference report continues this trend, spending approximately $730 billion over 10 years. And, as the administration correctly points out, it increases spending by approximately $20 billion over the current baseline, not $10 billion as claimed by the conferees. The roughly $10 billion difference is achieved through a number of gimmicks, including using timing shifts and funding cliffs.

To make matters worse, at a time when the United States' net farm income is projected to be $92.3 billion this year—51 percent greater than the 10-year average—the conference report would increase subsidy rates, create additional subsidies for a number of crops, and continue direct payments regardless of crop prices. Now is not the time to maintain or increase subsidies; now is the time to reduce or eliminate them.

The conference report would also continue to pay subsidies to millionaire farmers and nonfarmers. It would allow married couples who farm and have an adjusted gross income of $1.5 million to continue to receive subsidies. It would also allow married couples with an adjusted gross income of $1,000,000 who are not full-time farmers to receive subsidies. Farm payments should go only to those who actually need them, not to some of the wealthiest individuals in the country.

Congress could use the farm bill to make substantive reforms and cut federal spending. Instead, it appears that Congress will pass a bloated farm bill that is just another example of a broken and mismanaged Congress. Consequently, I cannot support it and urge my colleagues to also oppose the bill.

Mr. LEVIN. Madam President, this year's farm bill includes many important programs that will benefit Michigan and the Nation as a whole. Few States have Michigan's diversity of agricultural crops, and I am pleased that this farm bill contains a range of measures that will benefit farmers throughout my State. Agriculture is Michigan's second largest industry and this bill will help support this industry at a time when Michigan's economy is struggling.

This bill will provide significant additional assistance to specialty crop growers that has been severely lacking in past farm legislation. Specialty crops are an important part of the agriculture industry and a healthy part of our Nation's food supply. While Michigan is a leading producer of traditional crops, such as corn, wheat, and soybeans, our State is also a leader in the production of specialty crops, such as apples, asparagus, beans, blueberries, and cherries. This farm bill will provide much needed support for the specialty crop community throughout Michigan and that means a more assured supply of U.S. grown fruits and vegetables so important to Americans nutritional needs.

Nutrition programs, such as the Food Stamp Program, provide assistance to children, low-income working families, seniors, and persons with disabilities. This bill includes a significant increase in funding for our Nation's critical food and nutrition programs on which our Nation's least fortunate and most vulnerable rely. In my State of Michigan, over 500,000 households will benefit from increased nutrition assistance, and the bill will also help to alleviate some of the stress local food banks all across Michigan are experiencing at this time.

The farm bill includes measures to improve conservation. These programs, which are aimed at both working lands and lands taken out of production, are intended to protect and improve soil quality, prevent erosion, benefit water quality, and preserve and restore habitats. This legislation expands the Conservation Stewardship Program, CSP, increases funding for the Environmental Quality Incentives Program, EQIP, and reauthorizes the Conservation Reserve Program, CRP, and Wetlands Reserve Program, WRP, to protect environmentally sensitive lands.

I am pleased that this bill also includes incentives that will encourage continued development of biofuels and increased production of renewable fuels. I have long supported incentives for new technologies that can move us away from our significant reliance on foreign oil, and this bill makes critical investments in alternative energy that will help move us toward that goal.

While this bill includes modest reforms to our current producer protection programs, these reforms do not go far enough. It would have been my hope that this bill would have included more innovative measures, such as farm savings accounts, and additional reforms to our agricultural subsidy programs. I am hopeful that we can work to enact further reforms when Congress next considers farm legislation.

There is another important reason to support the farm bill. It contains a key provision which would finally close the Enron loophole that has contributed for so many years to the problem of rampant speculation in our energy markets. It would close the Enron loophole by requiring government oversight of electronic trading of energy commodities by large traders to prevent price manipulation and excessive speculation.

In 2000, at the behest of Enron and others, a provision was slipped into law—section 2(h)(3) of the Commodity Exchange Act—that exempted from oversight and regulation the electronic trading of energy and metal commodities by large traders. This loophole took the cop off the beat in those electronic markets and allowed traders to operate with less supervision and fewer controls than regulated commodity markets like the New York Mercantile Exchange, NYMEX.

Beginning in 2003, my Permanent Subcommittee on Investigations, PSI, issued a series of reports exposing how these unregulated markets and their unregulated trades had opened the door to energy price manipulation and excessive speculation. A 2006 subcommittee report, for example, presented evidence that excessive speculation was adding substantially to energy prices, including as much as $20 out of a $70 barrel of crude oil. In 2007, the subcommittee issued a report and held 2 days of hearings showing how excessive speculation in futures contracts by a single hedge fund named ''Amaranth'' on the unregulated markets had increased consumer prices for natural gas. The report showed how Amaranth deliberately avoided trading limits on NYMEX by moving its trades to an unregulated electronic exchange.

Our reports repeatedly recommended legislation to close the Enron loophole, and over several Congresses, I introduced or cosponsored legislation to do just that. In 2007, for example, I introduced S. 2058, the Close the Enron Loophole Act which was endorsed by a wide range of consumer, business, and agricultural groups. In response to this legislation, our reports and hearings, the Commodity Futures Trading Commission, CFTC, suggested its own legislative approach to close the Enron loophole. I then worked with my colleagues, Senators FEINSTEIN, SNOWE, and others to come up with legislation that was acceptable to both sides of the aisle as well as the administration. That legislation was offered as an amendment to the Senate farm bill, and a closely related version of that amendment is now part of the conference report before us today.

The farm bill provisions are designed to put the cop back on the beat in all U.S. commodity markets to protect against price manipulation and excessive speculation. Specifically, the bill provides that any contract that is traded on an electronic trading facility and serves a significant price discovery function is subject to CFTC oversight to prevent price manipulation and excessive speculation, just as it is subject to that oversight on regulated markets such as NYMEX.

For each such contract, an electronic trading facility is required to comply with the same key standards—called ''core principles''—that apply to regulated exchanges, like NYMEX, to prevent price manipulation and excessive speculation. For example, electronic exchanges are required to list only contracts which are not readily susceptible to manipulation; monitor trading to prevent manipulation and price distortion; establish rules to obtain information from traders and provide it to the CFTC upon request; establish position limits or accountability levels that trigger review of a trader's positions in order to reduce the potential threat of manipulation; possess emergency authority to require traders to reduce positions; publish daily trading information; and enforce trader compliance with its rules.

Essentially, an electronic trading facility will now have to function as a self-regulatory organization under CFTC oversight in the same manner as a regulated futures exchange like NYMEX. The bill gives the CFTC the same oversight and enforcement authority over the electronic exchange with respect to these contracts as it has with respect to a futures exchange. The days of unregulated electronic energy markets are over.

Passage of this critically important legislation is the culmination of many years of work by Senator FEINSTEIN, myself, Senator SNOWE, and others, and I thank them for their sustained effort to close the Enron loophole. I also would like to thank Senators HARKIN and CHAMBLISS for working with us to include this legislation in the farm bill. In addition, I would like to thank our many friends in the other body who worked diligently to get this legislation done. The legislation to close the Enron loophole is a bipartisan, bicameral success story and the winners are the American people who will gain greater protection against price manipulation and excessive speculation.

This farm bill is a bipartisan piece of legislation which includes many programs that are beneficial to Michigan. While this bill is not perfect, I believe the combination of improved assistance for specialty crops, enhanced conservation spending, increased funding for nutrition programs, investment in renewable energy programs, and the provisions closing the Enron loophole which are included in this bill are worthy of support. I am pleased we are finally able to send a farm bill to the President's desk that will benefit our Nation's farmers and rural communities, and I urge the President to sign this bill into law.

Mr. GRASSLEY. Madam President, with today's passage of the Food, Conservation, and Energy Act of 2008, we have taken a step in the right direction for rural America after well over a year of work on this bill. This legislation will result in new opportunities for U.S. farmers, rural business owners, and those who require food assistance during a time of rising food prices. I am pleased that the Senate has finally voted in favor of its implementation.

None of this would have been possible without the leadership of our chairman and ranking member on the Senate Agriculture Committee, Senator HARKIN and Senator CHAMBLISS. I want to thank both of their staffs and in particular Mark Halverson, majority staff director, and Martha Scott Poindexter, minority staff director, for their hard work and dedication to bring this 5-month conference to a conclusion.

For the first time in the process of writing a farm bill, the tax writing committees were asked to help fund a portion of the spending. I have strong concerns about this, which I have expressed previously. Still, we would not be here today without the hard work and leadership of the chairman of the Finance Committee, Senator MAX BAUCUS. And he is supported by a strong staff. That starts with the Democratic staff director on the Finance Committee, Russ Sullivan, and the deputy staff director, Bill Dauster, as well as his legislative director, Jon Selib, who were each critical to the process. I also want to thank Brandon Willis on his personal staff, Pat Bousilmann on the Senate Finance Committee, and Cathy Koch and Rebecca Baxter on his tax staff. And I want to thank his chief international trade counsel, Demetrios Marantis, as well as the other members of the Democratic trade staff, Darci Vetter, Amber Cottle, Janis Lazda, Chelsea Thomas, and Hun Quach, and three individuals serving on detail to Senator BAUCUS, Russ Ugone, Ayesha Khanna, and Chuck Kovatch.

Of course, I am grateful for the outstanding effort of my staff as well. First I want to thank Amanda Taylor, my agriculture counsel on my personal staff for her many months and countless hours of dedication and hard work on this bill. I also want to thank my chief tax counsel and deputy staff director, Mark Prater, as well as Elizabeth Paris, my energy and agricultural tax counsel. I am pleased that with their hard work we were able to provide long overdue agricultural tax relief to our nation's farmers. In addition, from my trade staff, Stephen Schaefer, David Johanson, Claudia Poteet, and David Ross, each deserve my thanks for their contributions. I also want to thank John Kalitka, who is on detail to my staff from the U.S. Department of Commerce.

Today's vote is long overdue. The September 2007 deadline of the farm bill has long come and gone. The farm bill hasn't happened as quickly as I would have liked, and we've had multiple extensions. Still, today's vote is critical to giving our agricultural policy a face lift. The U.S. Department of Agriculture should begin to implement

these new laws as soon as possible, and I will work hard to oversee the Department in its administration of this important legislation.

Mr. KERRY. Madam President, nearly 3 years after the tragedy of Hurricanes Katrina, Rita and Wilma, we have enacted meaningful reforms in the way the Small Business Administration comes to the aid of disaster victims.

The farm bill conference report includes bipartisan legislation which I have been working on since the fall of 2005 with my ranking member, Senator SNOWE, and Senators LANDRIEU and VITTER. Both Louisiana Senators are members of the Committee on Small Business and Entrepreneurship. We held many hearings in our committee and received testimony regarding the inadequate response of the Small Business Administration to the destructive gulf coast hurricanes of 2005. S. 163, the Small Business Disaster Response and Loan Improvements Act of 2007, the latest version of the Senate's small business disaster legislation, was included as an amendment to the farm bill late last year. During the last several months, we conferenced with our colleagues in the House to reconcile the differences between our legislation and companion legislation adopted by the House. I am pleased that we were able to come to an agreement. I want to acknowledge the hard work of all the staffs, and the support of Senator HARKIN and his Agriculture Committee staff as we conferenced on this bill. I also want to thank SBA Administrator Preston for his support of this legislation back in August when it first passed the Senate, and during the conference negotiations. This package of provisions does not include everything I would have wanted but it is a significant response to the gulf coast hurricanes of 2005.

These large-scale disasters taught us lessons and showed us our vulnerabilities in their wake. They also inspired novel ideas as to how to respond which we have incorporated into these reforms.

This bill gives the SBA several tools to better and more quickly assist disaster victims. One of the key issues after Hurricane Katrina was getting money to people quickly so they could keep their businesses afloat and start rebuilding their lives. This bill creates two bridge loan programs for the private sector to administer small-dollar, short-term disaster loans to businesses. It allows the SBA, in a catastrophic disaster, to authorize private lenders to make 180-day loans of up to $150,000 at not more then 1 percent over the prime rate to businesses that are otherwise eligible for a disaster loan. In all disasters, private lenders can make loans of up to $25,000 and receive an SBA guaranty within 36 hours for up to 85 percent of the loan amount. Both loans would be rolled into a standard SBA disaster loan once it has been made. These bridge loans will get financial assistance to businesses while they await processing or disbursement of their conventional SBA loan or insurance payments.

This bill also creates a program to allow private lenders to make disaster loans after a catastrophic disaster. This will leverage the relationships people already have with their local lenders and ease the burden on the SBA to make a huge volume of loans quickly. These loans will carry the same terms and benefits as conventional SBA disaster loans. All lenders would be eligible to make loans to small businesses, but only lenders who are preferred lenders could make loans to individuals. The bill also provides the SBA with authority to pay a fee to private lenders to process loans during times when the SBA's processing capabilities are overwhelmed in order to prevent application backlogs and ensure timely approval and disbursement of loan proceeds. Tools such as these will dramatically cut the time it takes to process and disburse loans in the event of a future disaster.

After a catastrophic disaster, while the disaster area clearly feels the brunt of the damage, businesses throughout the country can be dramatically affected by the incident. This could be because one of their suppliers or buyers is located in the disaster area, because they receive energy from the disaster area, or a myriad of other reasons. This bill authorizes the SBA to make economic injury disaster loans to businesses located outside the geographic area of a catastrophic disaster, if they suffer economic injury as a direct result of the disaster.

This bill also updates and increases the maximum amount of an SBA disaster loan from the current level of $1,500,000 to $2,000,000, and raises the maximum amount of unsecured disaster loans from $10,000 to $14,000. It was well past time to raise these caps given the increasing costs of doing business and these provisions give the SBA the flexibility to get people the help that they need. The bill also gives the SBA Administrator the authority to make new disaster loans and refinance existing loans from Hurricanes Katrina and Rita with a 4-year deferment period giving people time to get back on their feet before their payments come due.

Finally, the bill improves SBA's coordination with other agencies, its communication with the public, and its preparation for a future disaster. The bill adds several requirements to improve the SBA's coordination with FEMA as they are the two main agencies responsible to respond to a major disaster. The agency will also be required to conduct biennial disaster simulation exercises and create a comprehensive disaster response plan for various disaster scenarios. The SBA will be required to improve its communication with the public when disaster assistance is made available. The bill also creates a new position for high-level disaster planning to oversee the disaster planning and readiness of the agency.

I applaud my colleagues for helping pass this important piece of legislation as part of the farm bill. I expect to see immediate dividends as the SBA is better able to assist disaster victims in the short term, and I know that the passage of these provisions will be looked upon as an essential rebuilding tool if we ever have another tragedy on the scale of 9/11 or Hurricanes Katrina and Rita.

Mr. HATCH. Madam President, today the Senate voted on the farm bill. Leading up to that vote, we had two procedural votes which are required when budget points of order are raised against a legislative provision.

My vote on this farm bill was a difficult one. Certainly, opposition to this bill is justified. There are simply too many subsidies in this bill, there are Davis-Bacon provisions that I strongly oppose, and I believe that some provisions may violate our trade agreements.

To express my frustration with the negative aspects of the bill, I chose to support the procedural obstacles leading up to the vote on the bill itself. However, in response to very strong support for the farm bill from the preponderance of agricultural interests in my State, and to the fact that the farm bill has some provisions that are very important to me, I chose to vote in favor of the legislation.

I would like to say a few words about a provision in the bill which I sponsored and promoted for over a decade. The provision lifts the ban on the interstate distribution of State-inspected meat. I began the effort with Senator Daschle, and more recently worked with Senators KOHL and BAUCUS, to include it in the farm bill.

Let me give a little background on this issue. With the passage of the Federal Meat Inspection Act of 1906, the U.S. Department of Agriculture was required to inspect all cattle, sheep, swine, goats, and horses slaughtered for human consumption. The USDA was also made responsible for setting national standards for meat and poultry inspection. In 1957, the Poultry Products Inspection Act made poultry subject to USDA inspection. Later, these two laws were amended to set up a system of State inspection programs separate from the Federal program. At that time, due to some uncertainty about new State inspection programs, a prohibition on interstate distribution was placed on State-inspected beef, poultry, pork, and lamb.

It is important to note that the prohibition does not apply to other meats such as venison, pheasant, quail, rabbit, alligator, and others that are typically inspected under the state programs. Neither does the prohibition apply to other perishable products, including milk, other dairy items, fruits, vegetables and fish. All of these products which are inspected under State

programs are shipped freely across State lines and to our trading partners.

If a State can inspect these products sufficiently for international distribution, they can certainly continue to do so for our more standard meat and poultry products. In the nearly 30 years that the USDA has reviewed State programs, the Department has never unilaterally found that a State inspection program should be discontinued due to an inability to meet Federal food safety regulations.

In Utah, we have 32 meat plants under our State inspection program. These establishments, like the nearly 2,000 similar plants nationwide, are mostly small businesses. Generally speaking, they cater to the needs of small, family-run farms and ranches. The outdated ban on interstate shipment of State-inspected meats clearly disrupts the free flow of trade, restricts access to the market, and creates an unfair advantage for big businesses.

Let's not forget that meat inspected in 34 foreign countries can be shipped anywhere in the U.S. because the USDA has certified that the foreign inspection programs are equivalent to the Federal program, yet our domestic products inspected by States cannot. This is a ridiculous situation, and it is well past time to remedy it.

So I am very pleased that the farm bill will remove the outdated and unjust ban that puts our small businesses at such a disadvantage. Removing this prohibition will increase competition and innovation. It will provide farmers and ranchers an increased opportunity to innovate and compete to serve their consumers.

I am also very pleased that the farm bill includes a provision by Senator MAX BAUCUS, which I cosponsored, that will set up a disaster program for the livestock industry. In Utah, we have agricultural disasters almost every year. Farmers in my State never know what Mother Nature may send their way, and my goal is to provide them greater stability. I am grateful that this farm bill will provide our livestock producers the security and certainty they have sought for so long.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

UNANIMOUS CONSENT AGREEMENT—H.R. 634

Mr. DODD. Madam President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on May 15, 2008, at 3 p.m., in executive session, to conduct a markup of the following: an original bill entitled ''The Federal Housing Finance Regulatory Reform Act of 2008''; H.R. 634, ''American Veterans Disabled For Life Commemorative Coin Act'' and an original bill to make technical corrections to title II of the SAFETEA–LU bill.

The PRESIDING OFFICER. Is there objection?

Mr. CORKER. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Madam President, the bill the chairman of the Banking Committee, the distinguished Senator from Connecticut, is speaking about is over 400 pages long. It has been amended verbally numerous times over the past week. We are going to have a meeting at 3 o'clock today. None of us has seen the bill. None of us has seen the amendments.

I have tremendous respect for the chairman of this committee. He is, to me, one of the best Senators in this body to work with. I respect the ranking committee member. I know time is of the essence, if you will, as to addressing some of the issues that are in this bill. I am very disappointed that today at 3 we are going to be going through a very technical bill many Senators in this body, candidly, may not ever take the time to look at because of the technicalities that exist and the specialties that will be addressed, if you will, by this bill.

I am very tempted to object to this, not because it is taking place today at 3, but because of the fact that we do not have any of the documentation regarding the agreements that have been made.

Out of my respect for this chairman and out of my respect for the ranking member, I will not object at this time. But I will say, in the future I hope for a technical bill such as this that is more than a few lines—something that is over 400 pages long—there will be time to actually go through the bill prior to a very strenuous markup. I in no way assert any negativity toward the Senator. I know he is doing the best he can to hold this bill together. I know there are a lot of competing interests. It is actually out of respect for him trying to do the job he is doing today, in order to move something forward in this body, that I will not object.

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

Mr. DODD. Madam President, I appreciate the Senator not objecting, but let me, for the purpose of the record, inform him that the committee print has not been changed. There were no verbal agreements. The bill was available a week ago for anyone to read. It was in the CONGRESSIONAL RECORD. It has been on a Web page as well so the public at large could read it here.

It is a long involved process, an involved process. The only reason we are meeting at 3 today is because of the request of the ranking member to delay the markup this morning. I am here to work out some additional provisions. I want to let my colleague know that. I appreciate my colleague very much. He is a very active and constructive member of the Banking Committee, but this is a product that has been available for people to review almost for a week now, before the markup actually was to occur this morning.

I appreciate his not objecting. We will see how things progress. Nonetheless, we will keep working at it, but his involvement will be critical.

Mr. CORKER. Madam President, I wish to say that portions—while no doubt we have the original text, it is my understanding negotiations were taking place throughout the night. I was getting e-mails at 1:30 in the morning regarding the negotiations, and yet I have seen no written copies of any of the agreements that have been made. I would say that would be nice to see prior to a markup of this type, but again out of respect I will not object, and thank you very much for this colloquy.

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. I ask unanimous consent we now proceed to a period of morning business for 1 hour with Senators being allowed to speak therein for a period up to 10 minutes each.

I tell all Members the reason for this is we are going to move to the budget, appointing of conferees, with Senator CONRAD and Senator JUDD GREGG having some issues they need to work out prior to that. I think it would be in the best interests of us all if that consent agreement were confirmed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I would amend that to have the time equally divided between the majority and minority.

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

The PRESIDING OFFICER. The Senator from Iowa.

ORDER OF PROCEDURE

Mr. GRASSLEY. Madam President, we have 30 minutes on the Republican side. I would like to proceed to use probably most of that. I may not use all of it.

The PRESIDING OFFICER. There is a unanimous consent agreement that speakers are limited to 10 minutes each.

Mr. GRASSLEY. I ask unanimous consent to proceed for a longer period of time.

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

SCAPEGOATING OF ETHANOL

Mr. GRASSLEY. Madam President, I come to the floor to rebut the scapegoating of ethanol, which is part of the food versus fuel debate.

I do not do it for a one-way conversation. I hope I can encourage conversation on this subject among my colleagues so we can look at this from a scientific and economic point of view and avoid scapegoating.

For almost 30 years, I have been leading an effort with many of my colleagues to promote policies to grow a domestic renewable fuels industry. We have promoted homegrown renewable fuels as a way to lessen our dependance on foreign oil and to improve our air quality.

For all these years, we have hardly heard anything negative about these policies. Now, ethanol and other biofuels are being made a scapegoat for a whole variety of problems. Never before in 30 years has the virtuous benefits of ethanol and renewable fuels been so questioned and so criticized.

The problem is, none of these criticisms are based on sound science, sound economics, or for that matter even common sense. I had the opportunity to hear an intelligent discussion of this, maybe it only lasted a couple of minutes, on a program on Fox News Saturday night called, ''The Beltway Boys.'' And these people are very intelligent people.

I heard Mort Kondracke, a veteran journalist, falling prey to some of the same erroneous talking points that I have heard over and over for the past couple of weeks.

Mr. Kondracke is one-half of that intelligent duo on Fox News that I referred to as ''The Beltway Boys.'' Maybe Mr. Kondracke has spent too much time inside the beltway and could use a little real world explanation from a family farmer like me from the Midwest.

Some of my colleagues in the Senate have also gotten involved in this misinformation campaign, and that is why I did not come to the floor to speak; I come to the floor to encourage dialogue with my colleagues on this subject because it seems there is a ''groupthink'' mentality when it comes to scapegoating ethanol for everything from high gas prices, global food shortages, global warming, and even deforestation.

But, as was recently reported, this anti-ethanol campaign is not a coincidence. It has been well thought out, well programmed, and that program is going on. It turns out that a $300,000, 6-month retainer of a beltway public relations firm is behind the smear campaign against ethanol. And they have been hired by a trade association referred to as the Grocery Manufacturers Association. They have outlined their strategy of using environmental, hunger, and food aid groups to demonstrate their contrived crisis. And it is right here in a 26-page document put out by the Glover Park Group, called ''The Food and Fuel Campaign.'' They enlist the support of these other nonprofit groups that are involved with environment and hunger.

I think it is important for policymakers and the American people to know who is behind this effort. According to reports, downtown DC lobbyists, the Glover Park Group, and the Dutko Worldwide are leading the effort to undermine and denigrate the patriotic achievements of American farmers to reduce our dependence on foreign oil, while also providing a safe and affordable food environment.

The principal leaders behind the Glover Park Group's proposal reads like a who's who of Democratic operatives. The effort is led by former President Clinton's Press Secretary, Joe Lockhart. Another is 8-year veteran of the Clinton-Gore White House, Michael Feldman.

Other leaders in this misinformation campaign include Carter Eskew, Mike Donilon, Joel Johnson, and Susan Brophy, all of which proudly display their ties to the Clinton-Gore White House and their credentials of helping elect Democratic candidates.

This campaign against ethanol is more sophisticated than anything I have seen put on by big oil over the last 30 years, as big oil has been a constant fighter. I will show you how this is a well-sophisticated political operation and public relations effort. For instance, the media relations public affairs responsibility comes under the partners in charge, Joe Lockhart and Michael Feldman. The advocacy and image advertising comes under the leadership of partners in charge, Carter Eskew and Mike Donilon. The legislative affairs part of it is directed by partners in charge, Joel Johnson and Susan Brophy.

Now, these people are outstanding people. They are going to be able to deliver what they have said they could do. That is why we have to take it very seriously.

I suggest that Democrats in the Senate who claim to support our Nation's drive toward energy independence should be alarmed by this group's planned campaign and the tactics being used.

I happen to be one who fought President Clinton during his 8 years in office at every turn when he tried to undermine our renewable fuels industry. The outstanding example I remember is when California made application to the EPA for a waiver under the Clean Air Act at the very time that MTBE was being outlawed because it was poisoning the groundwater. The only oxygenate that you could use in gasoline then was ethanol. California sought an exemption. We were able to win that by the Clinton administration not allowing it. Now, of course, we find ourselves fighting President Clinton's former staff and staff who worked for the Gore and Kerry Presidential campaigns, leading an effort for the grocery manufacturers to smear ethanol, after 30 years of developing an industry because people called for more renewable energy. They wanted renewable, clean-burning energy. They didn't want to be reliant upon dirty-burning petroleum. They didn't want to be relying upon importing so much.

I imagine that they are leading this effort partly because they are being paid well for doing so, but they maybe can't stand the fact that President Bush has proved to be the best friend the renewable fuels industry has had. Because their old boss failed miserably at crafting policies to promote ethanol, they are doing everything they can to tear down the success President George W. Bush has helped foster.

There are a lot of intelligent people who have been misled by this campaign and are simply wrong. They are using in their speeches a lot of the rhetoric that comes out of this effort. The facts don't back up the argument. I invite my colleagues to look at the facts, challenge me, have a dialog on this subject so we can use science as a basis for what we are doing, and economics as well.

It is time to dispel the myths perpetuated by Mr. Kondracke, one of the Beltway boys—he was probably reporting this misinformation because he is a smart person—the Glover Park Group, and others.

The Grocery Manufacturers Association, I have come to the conclusion, needs an excuse to gouge consumers of America with higher food prices, and an easy scapegoat for increasing food prices is, of course, ethanol. One myth that pops up again and again is that ethanol takes more energy to produce than it provides. I heard Mr. Kondracke say that. Let's look at the facts. In 2005, the Argonne National Laboratory study concluded that it takes only seven-tenths of one unit of fossil energy to make one unit of ethanol. That is a positive net energy balance. In comparison, it takes 1.23 units of fossil energy to make one unit of petroleum gasoline. So why aren't the grocery manufacturers of America bringing up the point that petroleum processing into gasoline is not energy positive? Because gasoline requires more than 1 Btu of energy to deliver 1 Btu to your car. That is a negative net energy balance.

A 2004 U.S. Department of Agriculture study concluded that ethanol yields 67 percent more energy than is used to grow and harvest the grain and to process that grain into ethanol. These figures take into account the energy required to not just process grain into ethanol, it takes into consideration the energy the farmer takes to plant, to grow, to harvest the corn, as well as the energy required to manufacture and distribute the ethanol.

Of 15 different peer-review studies we have looked at and that have been conducted on this issue, 12 of the 15 found that ethanol has a positive net energy balance. Only a single individual from Cornell University, who authored the other three studies, disagrees with this analysis. The Cornell studies have consistently used old data, some from 1979. Remember, in 1979, farmers weren't producing as much corn per acre as they do today. Corn yields then were 91 bushels per acre. It was at 137 bushels per acre in the year 2000. The average is now up to 150 to 160 bushels per acre. The flawed studies also rely on 1979 figures for energy use to manufacture

ethanol. This energy consumption was cut in half between the years 1979 and 2000 and continues efficiency gains every year. I could quantify that better than just using a broad sweep.

In the early 1980s, we were producing about 2.3 gallons of ethanol from a bushel of corn. Today, we are producing 2.8 gallons of ethanol per bushel. And pretty soon, the industry believes they might be able to produce 3 gallons per bushel.

So these erroneous Cornell conclusions have been refuted by experts from entities as diverse as the U.S. Department of Agriculture, the Department of Energy, the Argonne National Laboratory, Michigan State University, and the Colorado School of Mines. The fact is, studies using old data overestimate energy use by not taking into account efficiencies gained in agriculture, the greater use of fertilizer, and ethanol production.

I don't understand how intelligent people, then, can continue to argue that ethanol has a negative net energy balance. But that is what I heard on television Saturday night from very intelligent people. That is what I hear in this smear campaign. The net energy balance of ethanol production continues to improve because ethanol production is becoming more efficient. A March 2008 study by Argonne National Laboratory found significant gains just since 2001. Ethanol production since 2001 has reduced water use by 27 percent, reduced electricity use by 16 percent, and reduced total energy use by 22 percent.

Another myth being perpetuated by opponents of a renewable fuels effort and by Mr. Kondracke is that ethanol harms the environment and contributes more in greenhouse gases than petroleum. This claim is likewise hogwash. Science magazine and Time magazine made wildly erroneous claims about corn ethanol that are now being used by these detractors. They claim that ethanol production is the driving force behind rain forest deforestation and grassland conversion to agricultural production. This is an oversimplification to say the least. How could intelligent people ignore the effects of a growing global population? How can one simply ignore the surging global demands for food from growing populations in China and India? Wouldn't urban development and sprawl also be a contributor to the increased demand for arable land?

Secretary of Agriculture Ed Schafer and Energy Secretary Sam Bodman stated in a letter to Time magazine, when they ran this outrageous story that was based on a Science magazine article, that it was ''one-sided and scientifically uninformed.'' They further stated that the Science magazine article had been ''thoroughly rebutted by leading scientists at the Department of Energy's Argonne National Laboratory.'' In fact, Dr. Wang at the Argonne Laboratory stated:

There has been no indication that the U.S. corn ethanol production has so far caused indirect land use changes in other countries. No claim can be made that U.S. ethanol production leads to the clearing of rain forests.

In fact, since 2002, U.S. corn exports increased by 60 percent. Even with the growth in the ethanol industry, our corn exports have steadily increased, meeting growing global demands. So when it comes to the United States and food, we allow exports to other areas where they need our overproduction.

But one of the things that is driving up the price of rice now is a lot of prohibition in countries that produce rice to exports. So the global trading system is not efficiently distributing rice to where it is needed to feed hungry people. Think of that as a detraction, but also think that in the whole world, 95 percent of all grain produced is consumed and not made into something else.

While some claim that corn ethanol increases greenhouse gas emissions because of land use changes around the globe, they need to think again. According to the U.S. Department of Energy, today's corn ethanol produces about 20 percent fewer greenhouse gas emissions on a life-cycle basis. Ethanol blended fuel emits cleaner tailpipe emissions and, unlike petroleum, ethanol doesn't harm the environment or groundwater the way the petroleum-based product MTBE did for the 20 years it was used in gasoline as an oxygenate, where ethanol can be used as an oxygenate and it doesn't do that.

In recent weeks, a new argument has come forward about the effect of corn ethanol on domestic and global food prices. Food prices are going up. Of course, we all have to be sympathetic to that, whether it is in America or abroad. People are struggling with higher prices for food is not something we like to hear. But to put all the blame at the feet of the U.S. ethanol industry is outrageous and misplaced, and that is what this smear campaign is all about, just so the grocery manufacturers of America can have an excuse to increase the price of food here.

Watching the news and listening to some of my colleagues, there was even a hearing on this a couple weeks ago in the Senate. I have even heard expressed in this hearing that the price of oranges was going up because of ethanol. We have heard that the domestic ethanol industry was blamed for shortages not only in oranges but apples, broccoli, rice, wheat, lentils, peppers, even bananas.

Let's stop to think about the people who are saying: You are growing more corn, so we are growing less wheat or rice. We don't make ethanol out of wheat or rice. But for people to say that fruits are going up or bananas are going up because we are growing more corn, well, let me assure everybody I do not know of anybody who is plowing up and tearing out an apple orchard, an orange orchard or a banana plantation to plant corn for ethanol. But that is the ignorance about the people who are making those mistakes, trying to make the argument that more land is going into corn and less going into wheat, so the price of bread is going up.

With regard to wheat, rice, and lentils, the global demand for food from a growing middle class in China and India have the most impact is what economists are telling us.

Weather trends, including a 100-year historic—how to say it—the worst drought in 100 years in Australia and poor growing conditions in Southeast Asia and Eastern Europe have had a much greater impact on the supply of rice and wheat.

Many of these countries also have government production policies that manipulate production, supply, and trading of these commodities. Think of some of the dictators in Africa who want a cheap food policy. Farmers cannot make enough producing food, so the farmers move to town and live in the slums, when they could be producing something back home, if the governments had policies that would encourage the production. There is so much resource in Africa that there is no reason to have anybody starving in Africa.

The fact is, the global demand and price for all commodities has increased. Some of this could even be due to speculation. You read that in the business papers in the United States quite regularly.

One of the biggest culprits behind rising food prices is the cost of oil at $125 a barrel. We had a recent Texas A&M study concluding that the biggest driving force behind the higher food costs is higher energy costs. So if Texas A&M is saying that, let's look at what the Iowa State University Center for Agriculture and Rural Development is saying about ethanol's impact upon the price of gasoline and energy to move food around. They say, without the ethanol we have, you would be paying 30 or 40 cents more for a gallon of gasoline. In turn, then, since Texas A&M says energy is the biggest reason for the increased costs of food, you would have yet higher food prices without having ethanol.

Joseph Glauber, chief economist at the U.S. Department of Agriculture, recently testified that rising prices for corn and soybeans have had little or no effect on the high price for wheat, rice, and other food commodities.

Dr. Glauber cited the worldwide economic growth—that would be China and India, as examples of a couple countries—global weather problems—that would be the drought in Australia—rising marketing costs, and a weak U.S. dollar as having a greater role than biofuels in the cost of food being higher and even being scarce.

A U.N. official has recently referred to biofuels as ''a crime against humanity.'' Mr. Ziegler, from the country of Switzerland, might benefit from a review of European policies that ban or restrict the growth and import of genetically modified crops.

Let me explain that genetically modified crops have had a great deal to

do with the increased production of corn per acre, from 91 bushels per acre in 1979, to 107 bushels per acre in 2000, to 150 to 160 bushels per acre in 2007.

While U.S. farmers are taking great strides, through the use of genetically modified grains, to feed the world, Europe is taking a step backward—the same Europe that Mr. Ziegler lives in, who is saying that biofuels is ''a crime against humanity.''

As a result, you have a ripple effect of the policies in Europe because African countries are reluctant to grow genetically modified grains, even though their production gains are great, because European countries might restrict their imports from those African countries.

I might suggest Mr. Ziegler focus more of his efforts on opportunities lost as to growing more grains in Europe and focus on GMOs and their use in Europe than our biofuels policy.

U.S. farmers responded to these increased demands for grain and produced a record corn crop in 2007. Now, we grew more acres of corn in 2007 than any year since 1944. We produced 2.6 billion more bushels of corn in 2007 than 2006. Now, out of that 2.7 billion bushels, ethanol only used 600 million of them. So for all the people complaining about not having enough corn, are they going to use 2.1 billion bushels more that we raised in the greatest acreage since 1944 that was not used for ethanol? Are they going to take that into consideration or are they going to still complain that there is not enough corn around?

Exports have grown as well. Our U.S. Department of Agriculture estimates that this year's corn exports will be a record 2.5 billion bushels—up 18 percent over last year. We are getting that surplus production in the United States around the world, where it is needed. One of the places it is needed is in China. They do not export corn anymore. In the 1980s, the Chinese were eating 44 pounds of meat a year; this year—while I guess the figures are for a couple years ago—111 pounds of meat. They are going from rice to value-added food products. They have to have some of our corn to do that, and we are glad to sell it to them.

With these facts, it is hard for critics to argue that the domestic ethanol industry is diverting corn from feed or food markets. Yet that is what this smear campaign is saying.

It is also important to keep in mind that a tiny fraction of the cost of retail food is the result of farm inputs. Would you think farmers are getting rich because the price of food is going up?

First of all, let's look at all the income from farmers. They only get back 19 cents

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. Madam President, since I do not see any other colleagues asking for time, I ask unanimous consent for an additional 10 minutes.

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

Mr. GRASSLEY. Thank you, Madam President.

Out of $1 that you, as a consumer, spend for food, the farmer gets 19 cents. Look at a $5 box of corn flakes. For an interview here, I bought a $5 box of corn flakes. I think I had to pay a little bit more because I bought it on the Hill. But the family farmer's share of that $5 box of corn flakes—and it happened to be a little bigger box than normal—was about less than 10 cents. I think the real figure is about 8 cents. That is what the farmer gets out of a box of corn flakes.

Yet the farmer is being blamed for the high price of food because we grow some corn to make ethanol because the American people, 30 years ago, were demanding that we go to a renewable, clean-burning fuel instead of depending upon dirty-burning petroleum, putting more CO_2 into the air. The value of corn in a pound of beef or pork is about 20 or 30 cents. Yet some have suggested we should suspend our policies that promote the use of renewable fuels to help drive down food prices.

If all the evidence suggests that biofuels have little, if any, impact on the rising cost of food, what good can come from lifting our biofuels policies? If people look at the facts, how can a public relations firm of former Clinton employees get a $300,000 contract from a very respectable organization such as the Grocery Manufacturers of America, whose Members need an excuse to raise the price of food? How do they get away with it? Well, they get away with it because nobody is looking at the facts.

I was pleased to join 15 of my colleagues in signing a letter to the Environmental Protection Agency, expressing our opposition to this misguided idea. We had about that same number of Senators in this body—some of them even voting for ethanol in the past years—sending a letter down to the same EPA, saying we have to stop ethanol, probably some of the very same people who are complaining about the dirty air we have or the global warming.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of that letter.

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

U.S. SENATE,
Washington, DC, May 6, 2008.

Hon. STEPHEN JOHNSON,
Administrator, Environmental Protection Agency, Washington, DC.

DEAR ADMINISTRATOR JOHNSON: We're writing to express our strong opposition to any request to partially or completely waive the Renewable Fuels Standard. We strongly disagree with the assumption that the renewable fuels mandate is harming the U.S. economy or that it's primarily responsible for the global escalation of food costs.

We recognize that global food prices have seen a significant increase in recent years. However, waiving the RFS would not cause an immediate or near term reduction in food prices. Ed Lazear, Chairman of the Council of Economic Advisors, recently estimated that global food prices have increased 43 percent since last year, and domestic food inflation was 4.5 percent. Importantly, Chairman Lazear noted that the increased production of ethanol accounted for only 3 percent of the 43 percent global increase and only a quarter of one percent of the 4.5 percent increase in U.S. food prices. This data is evidence that ethanol accounts for less than 3 percent of the increase in global food prices.

There are many factors behind the rise in food costs. The increased demand in emerging markets, increased cost of energy inputs, weather conditions in Australia, China and Eastern Europe, and export restrictions have all contributed to the rising costs, according to Chairman Lazear.

Corn production and consumption in the United States has very little or no impact at all on global rice, wheat or lentil markets. Joseph Glauber, Chief Economist at the U.S. Department of Agriculture, recently testified before Congress that rising prices for corn and soybeans have had little effect on the high prices for wheat, rice and other food commodities. He indicated that many factors have a greater role than biofuels, including worldwide economic growth, global weather problems affecting wheat production, rising marketing costs, and the weak U.S. dollar.

While we're all sympathetic to those struggling to cope with the higher cost of food both domestically and internationally, we must be intellectually honest about the real causes behind the increases. Waiving the renewable fuels mandate will have a negligible impact on corn and food prices. A recent Texas A&M study concluded that relaxing the Renewable Fuels Standard will not result in significantly lower corn prices.

At a time when a barrel of crude oil costs nearly $120 and gasoline prices are approaching $4 a gallon, the fuel produced by the U.S. ethanol industry is helping to extend our fuel supply and keep prices lower. A Merrill Lynch analyst recently estimated that oil and gas prices would be 15 percent higher if biofuels weren't added to our nation's fuel supply. According to Iowa State University's Center for Agriculture and Rural Development, ethanol use has lowered gas prices by 30 to 40 cents a gallon, while relaxing the mandate would reduce corn prices by only 5 percent. The fact is, reducing the amount of ethanol in our nation's fuel mix will have little if any impact on food prices and will actually increase prices at the pump for American's consumers.

As world demand for biofuels and food increases in the coming years, we will need to continue to develop technologies and feedstocks that meet that demand in a sustainable manner. We strongly support efforts to develop alternative feedstocks and technologies that can satisfy this global demand in a way that addresses the goals of energy security and food security.

The U.S. renewable fuels industry has made tremendous strides to produce a homegrown, alternative energy that is improving our environment, reducing our dependence on foreign oil and increasing our national security. America's farmers are continuing to provide an ample supply of safe, affordable food for the U.S. and global markets. Therefore, we strongly urge you to reject any action that would reduce the production and use of domestically produced renewable fuels.

Sincerely,

Charles E. Grassley ; John Thune; Norm Coleman; Kit Bond; Tim Johnson; E. Benjamin Nelson; Amy Klobuchar; Byron Dorgan; Richard G. Lugar; Ken Salazar; Kent Conrad; Jon Tester; Claire McCaskill; Tom Harkin; Debbie Stabenow; Evan Bayh.

Mr. GRASSLEY. An investment researcher with UBS recently said that lifting the biofuels mandate will not ease corn or food prices because energy costs and commodity speculation—speculation—are greater factors. Lifting the renewable fuels mandate will not drive down the cost of corn or the price of groceries. But it will increase our demand for crude oil—dirty-burning crude oil. Big oil wins.

A Merrill Lynch analyst recently estimated that oil and gas prices would be up 15 percent higher without biofuels. I have already spoken to the Iowa State University study: 30 or 40 cents higher for gasoline without having the ethanol industry.

Another economist estimated an even higher price, that gas would go up $1.40 if we removed 50 percent of the ethanol scheduled to be used this year—as these letters from my colleagues suggest that we do away with half the mandate.

It is clear, then, reducing the amount of ethanol in our Nation's fuel mix will have little, if any, impact on food prices and will actually increase prices at the pump for all Americans.

So to the critics, let me say loudly and clearly: Ethanol is not the cause of all that ails you. While it is easy to blame, it is intellectually dishonest to make these claims. It is time for critics to take an independent look at the facts. They have a responsibility to brush aside this sort of ''herd mentality'' that is being encouraged by the Grocery Manufacturers Association. It eventually gets taken over by the pundits and talking heads on TV who claim that everything about ethanol is bad. And it is getting louder. It is not only bad, but it is bad, bad, bad.

I wish to tell you what is good, good, good about ethanol because the truth is, ethanol is reducing our dependence upon foreign oil. Ethanol has a significant net energy balance. The same cannot be said for gasoline. Ethanol is reducing our greenhouse gas emissions. Ethanol is not the culprit behind rising food and feed prices here at home or abroad. Ethanol is lowering the price of crude oil and lowering the price of gasoline. Ethanol is increasing our national security, helping our balance of trade, reducing our dependence upon Middle East oil and the whims of big oil.

It is time we clear the air, look at the facts, and recognize, once again, that everything about our domestic renewable fuels is good, good, good—good for agriculture; good for the refinery business, providing jobs in rural America; good for the environment; good for national defense; good for the balance of payments—good, good, good.

Madam President, I ask unanimous consent that ''Ethanol Myths and Facts'' from the U.S. Department of Energy be printed in the RECORD.

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

ETHANOL MYTHS AND FACTS

Myth: Ethanol cannot be produced from corn in large enough quantities to make a real difference without disrupting food and feed supplies.

Fact: Corn is only one source of ethanol. As we develop new, cost-effective methods for producing biofuels, a significant amount of ethanol will be made from more abundant cellulosic biomass sources.

Future ethanol will be produced increasingly from cellulose found in crop residues (e.g, stalks, hulls), forestry residues (e.g., from forest thinning), energy crops (e.g., switchgrass, sorghum), and sorted municipal wastes. Some promising energy crops grow on marginal soils not suited for traditional agriculture.

A high-protein animal feed, known as Distillers Dried Grains with Solubles (DDGS), is produced in the process of making corn ethanol.

The Energy Independence and Security Act of 2007 (EISA) requires that U.S. transportation fuels contain at least 36 billion gallons of renewable fuels by 2022. Of that quantity, 16 billion gallons must be cellulosic biofuels, while ethanol from corn is capped at 15 billion gallons.

The U.S. Departments of Energy and Agriculture's Billion Ton Study found that we can grow adequate biomass feedstocks to displace about 30% of current gasoline use by 2030 on a sustainable basis—with only modest changes in land use. It determined that 1.3 billion tons of U.S. biomass feedstock is potentially available for the production of biofuels-more than enough biomass to meet the new renewable fuel standard mandated by EISA.

Myth: In terms of emissions, ethanol pollutes the same as gasoline or more.

Fact: Ethanol results in fewer greenhouse gas (GHG) emissions than gasoline and is fully biodegradable, unlike some fuel additives.

Today, on a life cycle basis, corn ethanol produces about 20% fewer GHG emissions than gasoline. With improved efficiency and use of renewable energy, this reduction could reach 52%.

In the future, ethanol produced from cellulose has the potential to cut life- cycle GHG emissions by up to 86% relative to gasoline.

Ethanol-blended fuels currently in the market—whether E10 or E85—meet stringent tailpipe emission standards.

Ethanol readily biodegrades without harm to the environment and is a safe, high-performance replacement for fuel additives such as MTBE.

Myth: More energy goes into producing ethanol than it delivers as a fuel.

Fact: In terms of fossil energy, each gallon of ethanol produced from corn today delivers one third or more energy than is used to produce it.

Ethanol has a positive energy balance that is, the energy content of ethanol is greater than the fossil energy used to produce it—and this balance is constantly improving with new technologies.

Over the last 20 years, the amount of energy needed to produce ethanol from corn has significantly decreased because of improved farming techniques, more efficient use of fertilizers and pesticides, higher-yielding crops, and more energy-efficient conversion technology.

Most studies that claim a negative energy balance for ethanol fail to take into account the energy contained in the co-products.

Myth: Rainforests will be destroyed to create the new croplands required to meet food, feed, and biofuels needs, thus accelerating climate change and destroying valuable ecosystems.

Fact: Biofuels have the potential to significantly reduce global GHG emissions associated with transportation, but—as with all types of development—controls are needed to protect ecologically important lands.

In Brazil and elsewhere, laws have already slowed deforestation, and for the past decade China has converted marginal croplands to grasslands and forests to control erosion.

Links between U.S. ethanol production and land use changes elsewhere are uncertain. We cannot simply assume that increases in U.S. ethanol production will lead to increased crop production abroad. In fact, since 2002, during the greatest period of ethanol growth, U.S. corn exports increased by 60% and exports of Distillers Dried Grains (DDGs) also increased steadily. In part, improvements in U.S. corn yield (about 1.6% annually since 1980) have enabled simultaneous growth in corn and ethanol production.

Greenhouse gas emissions will decrease dramatically as biofuels of the future are increasingly made from cellulosic feedstocks and as the associated farming, harvesting, transport, and production processes increasingly use clean, renewable energy sources.

Myth: Ethanol-gasoline blends can lower, fuel economy and may harm your engine.

Fact: Most ethanol blends in use today have little impact on fuel economy or vehicle performance.

While ethanol delivers less energy than gasoline on a gallon-for-gallon basis, today's vehicles are designed to run on gasoline blended with small amounts of ethanol (10% or less) with no perceptible effect on fuel economy.

Flex-fuel vehicles designed to run on higher ethanol blends (E85 or 85% ethanol) do experience reduced miles per gallon, but show a significant gain in horsepower.

As a high-octane fuel additive and substitute for MTBE, ethanol enhances engine performance and adds oxygen to meet requirements for reformulated gasoline.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

Mr. CONRAD. Mr. President, I ask unanimous consent the Senate proceed to the House message to accompany S. Con. Res. 70, the concurrent budget resolution; that the motion to disagree to the House amendment be agreed to, the motion to agree to the request of the House for a conference be agreed to; and the motion to request the Chair to appoint conferees be agreed to.

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

The ACTING PRESIDENT pro tempore laid before the Senate the following message:

S. CON. RES. 70

Resolved, That the House insist upon its amendment to the resolution (S. Con. Res.

70) entitled ''Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013'', and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. SPRATT, Ms. DELAURO, Mr. EDWARDS, Mr. RYAN of Wisconsin, and Mr. BARRETT of South Carolina, be the managers of the conference on the part of the House.

Mr. CONRAD. Mr. President, I now ask we enter into 1-hour time agreement, equally divided, on an amendment that will be on or in respect to potential tax increases in the conference agreement.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GREGG. I will just say it will be a motion to instruct.

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

MOTION TO INSTRUCT

Mr. GREGG. Mr. President, I send a motion to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire. [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to reject the revenue levels in both the Senate-passed and the House-passed budget resolutions, both of which assume the largest tax increase in history, and include revenue levels consistent with extension of the tax.rates currently in place.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, this motion to instruct is necessary because the budget, as it left the Senate and it is represented, has been agreed to between the House and Senate Democratic leadership and membership, with no Republican input other than the courtesy of telling us what they have agreed to, has in it the largest tax increase in the history of the world—the history of the world, not just the history of the United States. It is a $1.2 trillion tax increase. It means that all Americans' taxes will go up significantly as a result of this tax increase. Mr. President, 7.8 million people today who do not pay taxes will find that they are paying taxes. These are low- and moderate-income Americans who are not liable to pay taxes because their income has them in a level where there is no tax event, but under this budget resolution, which assumes the termination of the tax policies that were put in place in 2001 and 2003, those 7.8 million people will be returned to the tax rolls and will have to pay taxes.

Families of four, earning $50,000—a husband, a wife and two children—in 2011, under this bill, would see their taxes go up $2,300. A single mom raising two kids—which is the toughest job in America, in my opinion—earning $30,000 a year, that mother would see her taxes go up by $1,100. That is a lot of food, a lot of clothing, and a lot of better lifestyle that will be lost to that family.

A family of four earning $110,000 would see their taxes—that would be, for example, a mother who is teaching or a father who is teaching and a mother who is a police officer, one making $50,000 and one making, say, $60,000—that family with two children could see their taxes go up $4,300 under this bill.

Small businesses—which are defined by the Democratic Party as the rich, will pay more taxes. In fact right now in the House of Representatives they are debating a bill which they claim taxes the rich, which it turns out are small businesses who file as individuals—75 percent of all individual returns with income above $300,000 include business income, and 83 percent of all individual returns with income above $1 million include business income. They will be subject to the high-end tax which the Democratic Party is proposing in the House. Meanwhile, small businesses, who pay 54 percent of all individual income taxes—those small businesses, 27 million in total, will see their tax bill go up by $4,100 under this budget resolution. That could easily put a lot of those small businesses out of business, that type of a tax hike. A lot of these businesses work at the margin. Even though they may have high income, they are still spending a lot of that in order to maintain their business.

Elderly couples with incomes of $40,000, if the Democratic budget goes forward, an elderly taxpayer, someone over 65 with $40,000 of income, will see their taxes go up $2,200. That is a lot of money for somebody who is probably on a fixed income and does not have too many ways to increase their income and are trying to make fixed costs, which they also cannot reduce. To be hit with a $2,200 tax bill in 2011 is a pretty stiff penalty to pay so the party in power, the Democratic Party, can spend their money on some program they deem more appropriate than allowing that individual to keep their money in their pocket. Eighteen million seniors will see taxes go up under this bill as the tax policies of 2001 and 2003 are repealed and taxes are increased.

There was an argument made on the other side of the aisle that we are not going to do that, we are going to collect this money from uncollected taxes. That argument has no viability any longer. They made that argument last year, and the amount of money which was collected from uncollected taxes went up a minuscule amount, so that argument has no credibility. There is an argument made, primarily by Senator OBAMA in his campaign for the Presidency, that all these new programs and all this cost will be paid for by taxing the wealthiest Americans—only the wealthiest Americans; that the other tax breaks will be left in place.

This budget does not assume that. This budget does not assume that at all. This budget assumes the full repeal of all the tax rates as they were put in place in 2001 and 2003. In addition, it assumes the full repeal of the capital gains rate, full repeal of the dividend rate—which, by the way, taxes on capital gains and dividends are paid disproportionately by senior citizens. They are the ones who sell their homes and end up with capital gains, they are the ones who have fixed incomes usually tied to dividends from their pensions.

So that argument that this proposal is just going to tax the wealthiest of Americans does not fly, on the basis of the language of the Democratic budget. The Democratic budget says they are going to repeal and raise, by $1.2 trillion, those taxes—taxes which all Americans will have to pay.

Senator OBAMA says if he just taxes the wealthy, he can pay for all his new spending programs. Those new spending programs total up to well over $300 billion a year. He has proposed over 185 new programs. If you score just 143 of those programs he is proposing—his new or additional programs—it totals $300 billion in new spending. That is on top of the new spending already in this budget resolution. This budget radically expands spending. It is well over $200 billion in new discretionary spending over the 5-year period of this budget and of course you put the Obama ''spend-orama'' on top of that and you are up another $300 billion. All of this is going to be paid for, allegedly, by just taxing the wealthy.

You have to look at the language of the bill. That is not the way it is going to be paid for. As I outlined, it is going to be paid for by taxing working Americans, elderly Americans, single moms with families and individuals who run small businesses.

In fact, if you took Senator OBAMA at face value, and what he is proposing, he is going to raise all of these taxes on the wealthy to pay for his $300 billion of new spending and the $200 billion in this bill. The $300 billion figure is an annual number, by the way.

The maximum amount, if you were to return to the top rate in America, back to the rate during the Clinton years, which is what has been proposed by Senator OBAMA, the maximum amount that generates annually is $25 billion. The fact is, we will not get that much. These are wealthy people. They understand how to hire tax accountants and avoid taxes when taxes become disproportionate, and they view them as something that should be avoided rather than paid.

The great advantage we have from the tax cuts which were put in place by President Bush and which caused this economy to expand and caused Federal revenues to grow in the most aggressive way in our recent history, was that tax laws have reached fair levels.

Take, for example, the capital gains tax which, under this bill, under this

budget, will be doubled. The capital gains tax today, because it is at a reasonable rate, 15 percent, is generating huge increases in Federal revenues.

In fact, CBO estimated when the capital gains rate went to 15 percent, it would generate about $100 billion less than what it has actually generated over the last 3 years. And why did we obtain an additional $100 billion in tax revenue as a result of having a lower capital gains rate? For two reasons: One, because the capital gains rate was fair so people were investing in activity that was taxable, and they were not trying to avoid taxes by investing in nontaxable activity; and, two, because when you set a fair capital gains rate, what you do is incentivize people to go out, recognize their capital gains—in other words, sell the asset which they obtained gain in, and then take that new money they have gotten and reinvest it in some other activity which also generates capital gains.

Instead of having the capital gains event locked down, instead of having assets held simply because people do not want to pay taxes, and those assets may be nonproductive assets, thus not having productive use of those dollars, a reasonable capital gains rate, which is what we now have in this country, causes people to go out and invest and act in the most efficient way with the money they have.

As a result, not only do they generate more taxes to the Federal Government, $100 billion more than was estimated, but they also, at the same time, create more jobs. Because those dollars are used more efficiently, there is more entrepreneurship, there is more risk taking, and more people are willing to go out and take the risks to create a job because they know they are going to have a chance to get an adequate return, and their efforts will not be taxed away.

But this budget rejects all of that. This budget rejects that whole concept. It says: Let's go back to the period where we taxed people at extremely high rates. And why? Why do they tax people at extremely high rates? Is it to reduce the deficit? No, the deficit goes up dramatically under this bill.

Does it reduce the national debt? No, the national debt goes up dramatically under this bill. The reason they want your tax dollars is because they want to spend your tax dollars. There is a genuine philosophy on the other side of the aisle that says they know how to spend your money better than you do. You, the working American, you, the small business man or woman, you, the single mother, they know better how to spend your money than you know how to spend your money. Thus, they want to raise your taxes in order to reprogram it in some sort of program that they deem to be of a better social purpose than allowing the person who earned that income to keep their money in their pocket so they can make decisions which benefit them and their family with those dollars.

That is the philosophical difference that divides us and could not be shown in a more stark way than in this budget as it left the Senate and which will be conferenced, because this budget repealed almost all the constructive tax policy that was pro-growth oriented in the President's proposals of 2001 and 2003, and as a result it drives this massive increase in the tax burden on the American people.

This is not a tax on the wealthy. This is a tax on the middle class because it is middle-class America who will have to pay for the $1.2 trillion tax increase. To review the numbers, 7.8 million people who do not pay taxes today will have to pay them under this bill; 27 million people who run small businesses will see their taxes go up by $4,100; 43 million working Americans who have children will see their taxes go up by $2,300; and senior citizens, 18 million senior citizens, will see their taxes go up by $2,200.

Obviously, we have a deep philosophical difference with the majority on this point. And that is why we are suggesting an instruction which says we should not proceed down the path of having the world's largest tax increase. Let's at least tell our conferees: Do not do that to the American people. Keep the tax laws at a level that is fair and is responsible.

By ''responsible'' I mean the tax laws, as they presently are structured today, are returning more revenue to the Federal Government from our income tax than we have ever had in our history. And even as a percentage of the gross national product, they are returning more revenues to the Federal Government than has been the historical average. Mr. President, 18.7 percent of gross national product today is being collected in tax revenue. Historically, it was only 18.2 percent. So these tax laws have not reduced Federal revenue, they have actually increased Federal revenue, as I pointed out when I discussed the capital gains rates.

We should not be putting in place a tax burden on working Americans which is going to be counter to the idea of creating jobs, creating economic incentives, and giving and allowing people to keep in their pockets money which they have earned and which they know better how to spend than we as a government know how to spend.

I reserve the remainder of my time. I look forward to continuing this discussion as we proceed through the afternoon.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The Senator from North Dakota.

Mr. CONRAD. Madam President, I have enjoyed listening to my colleagues describe this budget resolution. But it has nothing whatsoever to do with the budget resolution we have produced. It is a wonderful speech. It is the same speech they give every year no matter what the budget resolution says. But it absolutely has no attachment to what we have presented.

I hear this talk about the biggest tax increase ever in the world history. He said the same thing last year. And you know what happened. We have cut taxes. In fact, I have that chart too. It is very interesting because he gave precisely the same speech last year. It may have been exactly the same speech.

And what has happened with this Democratic-controlled Congress? Well, here are the tax cuts we have enacted, $194 billion. After they said we were going to have the biggest tax increase in the history of the world last year, we have cut taxes by $194 billion, with $7 billion of revenue raised through loophole closers that have been enacted, loophole closers that, frankly, many of them supported to advance the legislation that was important to us all. But that is the record.

After the speech, the identical speech, virtually the identical speech he gave last year, that we were going to have the biggest tax increase in the history of the world—what is the record? We have cut taxes by $194 billion, overwhelmingly on the middle class.

Now, let's look at this budget resolution. The green line is the revenue that is in our resolution. The red line is the President's. That is a very small difference, as you can see, a very small difference between the two. In fact, here is the difference: $15.6 trillion of revenue in our resolution, $15.2 trillion of revenue in the President's proposed budget. That is a difference of 2.6 percent. So I do not know what he is talking about when he is talking about the biggest tax increase in the history of the world. That has nothing whatever to do with our resolution.

In fact, our resolution has substantial tax relief. The Baucus amendment adopted on the Senate floor with bipartisan support extended the middle-class tax relief by providing for marriage penalty relief, by providing for extension of the child tax credit, by extending the 10-percent bracket.

We also provided alternative minimum tax relief to prevent 26 million people from being caught up in the alternative minimum tax, almost an eightfold increase from the number affected now. We have taken effective action to prevent that from happening. We have estate tax reform that will provide that only two-tenths of 1 percent of estates will face any taxes.

We provide for energy and education tax cuts. We provide for property tax relief, and we provide for extension of the popular tax extenders. All of that is done in this bill. Now, there is a difference in revenue, as I indicated, a very modest 2.6 percent between what is in our budget resolution and what the President called for.

Well, where are we going to get that revenue if we are not going to have a tax increase? Well, the first thing we do is go after the tax gap which is now estimated at $345 billion a year. That is the difference between what is paid and what is owed, $345 billion a year.

If we got 20 percent of that amount alone we could meet our numbers with no tax increase. But that is not the only place we can look because, as I have shown before on the floor of the Senate, this building down in the Cayman Islands called Ugland House, this little modest, five-story building is the home to 12,748 companies.

Now, I have said this is the most efficient building in the world. Think of that. That little building down in the Cayman Islands, and 12,748 companies claim they are doing business out of that little building. Of course, the only business they are doing in this building is monkey business because what they are doing is claiming they are doing business there in order to engage in tax avoidance. That is the business they are engaged in in Ugland House.

Now, if anybody doubts it, here is a recent story from the Boston Globe from March 6 of this year: Shell companies in Cayman Islands allow Kellogg, Brown and Root to avoid Medicare and Social Security taxes in the United States. What they have done down there this is the Nation's top Iraq war contractor until last year, a subsidiary of Halliburton, is to avoid paying hundreds of millions of dollars in Federal Medicare and Social Security taxes by hiring workers through shell companies based in this tropical tax haven.

Now, what we are saying is, let's shut down this kind of scam. How much is there? Well, the Permanent Subcommittee on Investigations said there is $100 billion a year that is being lost to the U.S. Treasury in tax scams being run in these offshore tax evasion schemes. So if you have $345 billion a year in the tax gap, money that is owed that is not being paid, and the vast majority of us pay what we owe, it is outrageous that some are getting away without paying what they owe. And our argument on our side is that we ought to go after those folks who are not paying what they owe and are cheating all the rest of us.

On our side we say: Let's shut down these offshore tax havens that are costing us another $100 billion a year, these tax scams that are cheating all of the rest of us. You add those two together, that is $445 billion a year.

Again, now we need less than 20 percent of that in order to completely close this revenue gap.

But it doesn't end there, because I have shown this chart on the floor of the Senate too. This is a picture of a sewer system in Europe. What does a sewer system have to do with the budget of the United States? We have companies in America buying European sewer systems to write them off on their books to reduce their taxes here. Then they lease the sewer systems back to the European cities that built them in the first place. Is that unbelievable? Our friends on the other side don't want to do anything about that. They don't want to shut that down. They think that is OK. We don't. We think that should be shut down. This is another tens of billions of dollars a year in these types of tax scams.

We have things we have done to try to shut down some of these operations. We have put these in bills that the President has threatened to veto. This is almost hard to believe, but this is what has been going on. We proposed shutting down these scams. One of the things we propose is codifying economic substance, prohibiting transactions with no economic rationale done solely to evade taxes. We proposed shutting down schemes to lease foreign subway and sewer systems and depreciate their assets on the books of the United States to avoid taxes here. We have proposed ending deferral of offshore compensation by hedge fund managers trying to avoid taxation in this country. One of those people, by the way, earned over $1 billion last year alone. And there is not just one; there are many of them who earned over a billion dollars a year last year. Then they cook up a scheme where they move their money offshore to avoid paying taxes in this country and stick all the rest of us with the bill. We have said no, let's shut that down. The President has threatened to veto that.

We have talked about expanding broker information reporting to prevent this evasion and taxing people who leave this country and give up their citizenship to evade taxes they owe here. As unbelievable as it may sound, we have people who give up their U.S. citizenship, go to one of these tax havens and say: We don't owe any taxes in America because we don't live there anymore. We are no longer a citizen of that country. We are now down in the Cayman Islands or another one of these tax havens.

In fact, I went on the Internet. It is amazing to go on, put in ''offshore tax havens.'' Punch that in and then do a search. You will get over 1 million hits. One of my favorites is ''live offshore in a luxury yacht, never pay taxes again.'' This is the kind of scam that is going on. We say shut it down. If we only got back 15 percent of the money in the tax gap—not 50 percent, 15 percent—if we got back 15 percent of this tax gap, of these abusive tax shelters, we could meet our numbers with no tax increase. Remember, in our resolution, we have hundreds of billions of dollars of tax reduction on middle-income people, because we have extended all the middle-class tax cuts. That is what this resolution does. The other side doesn't want to do that. What they want to do is make sure to protect the wealthiest among us. They want to protect those who are engaged in these scams. I don't know why they want to. I don't get it. But that, apparently, is their position. They are going to have to defend it.

As I have indicated, there is no assumed tax increase in this budget resolution—none. There are substantial tax reductions, hundreds of billions of tax reductions.

I will end as I began. Last year the Senator on the opposing side gave the same speech, that our budget resolution had the biggest tax increases in the history of the world. Here is the record. Now we can look back and we can see what happened. Did Democrats increase taxes? No. Democrats cut taxes by $194 billion. In fact, people all across the country are getting checks from the Federal Government right now that represent those tax reductions enacted and, by the way, enacted on a bipartisan basis. The President signed the bill. So people know they got a tax reduction from Democrats when we have been in control of Congress this year, because they are getting the checks in the mailbox right now.

After the Senator asserted last year we were going to have the biggest tax increase in the history of the world, it didn't happen. There wasn't any tax increase. Instead, there were tax reductions.

There is no tax increase in this budget resolution either. None. None is assumed. We don't need any to meet the revenue numbers which are only 2.6 percent more than the President's revenue numbers. In fact, we have substantial middle-class tax relief. The middle-class tax relief that is in this package is right here. We extend the middle-class tax provisions that provide marriage penalty relief. We extend the important child tax credit. We extend the 10-percent bracket that provides such good relief to middle-income people. We have provided for relief from the alternative minimum tax. We have provided for estate tax reform. We have provided energy and education tax cuts, property tax relief, and the popular tax extenders. All of that tax relief is in this package.

I hope our colleagues will reject the assertion that is in the Senator's motion because it bears absolutely no relationship to the budget resolution before us.

I yield the floor, suggest the absence of a quorum, and ask unanimous consent that the time be charged equally.

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

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

Mr. McCONNELL. Madam President, 2 years ago, Democrats campaigned on tax relief for middle-class families. They called for fiscal restraint and lowering the national debt. But as we have seen over the last year, our good friends are more concerned with increasing taxation, increasing regulation, and increasing litigation. The budget they unveiled this year is the latest example.

If we were to follow this budget, it would go a long way toward turning us into a country like France, at a time when even the French, as we all know,

are trying to pull back and trying to get out of the ditch into which they have put themselves.

This budget lifts the curtain on what they have in store for America's already overburdened taxpayers. Instead of lowering taxes on America's working families and small businesses, this budget contains the largest tax hike in U.S. history.

It is not just the rich who would see their tax bills increase by an average of $2,300 a year; it is taxpayers making as little as $31,850, and couples earning $63,700. These are families the Democrats are calling rich and on whom they want to raise taxes.

Under this budget, every American would see his or her share of the national debt rise by $6,440 as a result of dramatically higher spending requests.

At a time when American families are tightening their belts and checking their own spending habits, Washington should be doing the same. Yet they are proposing the opposite. At a time of serious economic concern, they want to grow the Federal budget to over $1 trillion in nonemergency spending.

We have heard a lot of talk over the last few months from the other side about how middle-class families are struggling to make ends meet. We even worked together to pass a stimulus package that puts money back in the wallets of middle-class families. But now our good friends on the other side want to take that money back—and then some—to fund their irresponsible spending hikes.

Let's be clear about what this budget is: It is the Democrats' way of saying yes to the failed tax-and-spend policies of the past. American families cannot afford this budget, American job creators cannot afford this budget, and neither can our economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Well, Madam President, it is the same song, second verse. Again, it is words. It is no wonder our friends on the other side have lost three congressional elections in a row because they keep chanting the same mantra that has no relationship to reality. These are the exact same speeches they gave last year: biggest tax increase in the history of the world.

Now we can come and we can check the record. We do not have to guess; we do not have to suppose; we do not have to engage in make-believe. We can look at the record. Here it is: Democrats lowered taxes by $194 billion. If you are listening, you do not have to wonder if that is true. All you have to do is go to your mailbox because all across America people are getting checks from the United States that represent the tax cuts Democrats in Congress passed. So this is not a question; this is a matter of fact. Democrats cut taxes $194 billion. Those are not my numbers. Those are the numbers from the Congressional Budget Office.

All of this talk about big tax increases is just talk. It has no relationship to this budget and no relationship to last year's budget. It has no relationship to this year's budget.

I present the factual record. It is as clear as it can be. We lowered taxes $194 billion in the year under the budget resolution we passed last year.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GREGG. Madam President, I now suggest we yield back the time remaining on this motion and that we turn to the motion to instruct by Senator KYL. So I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CONRAD. Madam President, I will not object. So let's go forward with that, and then I will seek recognition.

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

The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask that we enter into a unanimous consent agreement on the Kyl motion—there will also be a side by side—that we do an hour on the two, equally divided.

Mr. GREGG. Madam President, to my knowledge we have not seen the side by side.

Mr. CONRAD. Oh, they are typing up the comprehensive agreement. So shall we——

Mr. GREGG. Why don't we proceed with Senator KYL, and after we see your side by side, we can talk about time agreements because we already have an hour.

Mr. CONRAD. Let's proceed on the basis that we will make a good-faith attempt that we try to do this in an hour. Is that OK?

Mr. GREGG. That is fine with me.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Thank you, Madam President. I am going to take a couple of minutes to lay this motion down and then leave the floor. I will come back. Senator GRASSLEY will be here in about a half an hour. I know he wants to speak to this motion. So the total time consumed should not be more than that, but exactly when we will do the time I am not precisely sure.

Mr. CONRAD. Madam President, if I can say, maybe we can work things out. We will try to be flexible and work in people as they come. We will do our best effort to get it done in an hour.

MOTION TO INSTRUCT

Mr. KYL. Madam President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to reject the House amendment that assumes $110 billion in tax increases as a result of having to offset the extension of tax policies that expired at the end of 2007 and will expire at the end of 2008 (including the AMT patch, the research and experimentation tax credit, the State and local sales tax deduction, the combat pay earned income tax credit, education tax credits, and the alternative energy tax credits) and insist that the final conference report include in the recommended levels and amounts in Title I reductions in revenues commensurate with extending these tax policies without offsetting tax increases.

Mr. KYL. Madam President, let me simply describe in about 90 seconds what this motion does, and then I will come back and make the presentation for it in a moment. This motion would instruct the House and Senate budget conferees to assume a 1-year extension of the alternative minimum tax so-called patch, in other words, that the filers who have not had to pay that would not have to pay it in the future for another year.

Also, it assumes an extension of the tax extenders, as we call them. Those are the provisions of the Tax Code that have already expired, things such as the R&D tax credit; plus those that expire at the end of this year, things such as the various energy tax credits; and some international tax credits that have always been the subject of our extender policy.

These tax extenders and the AMT, alternative minimum tax, fix would not have to be offset by raising taxes on others. That is the key point of this motion, that we extend the relief we have given to filers—about 26 million filers this year—from the alternative minimum tax, and extend the various so-called tax extender provisions that are traditionally extended here, and that in neither case would we be raising taxes in order to pay for them.

Madam President, I will reserve discussing this further until some of the other speakers are here to make the motion.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I will offer a side-by-side amendment that seeks to achieve the same goal. This is one place where we have an agreement. None of us want to see the alternative minimum tax imposed on the American people. That would involve 26 million people, up from 4.2 million now. All of us want the so-called tax extenders to be extended. It would involve the research and development tax credit and others.

We would add this additional caveat: We ask that every effort be made to

offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, and addressing these offshore tax havens that are turning out to be so abusive. We think that is better policy.

We absolutely agree that the alternative minimum tax should not be expanded. We absolutely agree that the so-called tax extenders, such things as the research and experimentation tax credit, the deduction for State and local taxes, the deduction for classroom expenses, the deduction for qualified education expenses, the incentive for the charitable IRA rollover, the combat pay earned-income tax credit, and various energy tax incentives, be extended. But we believe that rather than just putting that on the charge card and adding to the debt—meaning that we go out with a tin cup and borrow more money from the Chinese and the Japanese—we pay for it by going after these abusive tax shelters, going after these tax scams, these offshore tax havens, and do it without raising taxes. So I hope my colleagues will support that as a general principle and an instruction to the conference committee.

With that, I note the absence of a quorum and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

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

Mr. CONRAD. Madam President, I am going to extend my remarks.

I think many people in the country hear the phrase ''AMT'' and they wonder: What is that? It is the alternative minimum tax. It was established decades ago because they found there were people making $200,000 a year who weren't paying any taxes. To address that, they created the so-called alternative minimum tax.

The problem with it is that it was never indexed for inflation. The result is that now, instead of affecting just a few people, it is affecting millions of people. In fact, the estimates are that if we don't do anything about this, it will increase from 4 million people in 2007 to 26 million people in 2008.

In this budget resolution we say: No, no, don't let that happen. Don't increase taxes on 26 million American families. Don't do that.

In this instruction to the conferees, we say: Yes, absolutely, don't allow the alternative minimum tax to grow like a cancer. Instead, let's take care of that. Let's remove it as an option, and let's try to pay for it by closing down these abusive tax shelters, these offshore tax havens, and closing the tax gap.

Our friends on the other side have a different approach. They just want to put it on the charge card. The problem with that is if you eliminate the alternative minimum tax without paying for it, it adds $1.7 trillion to the debt. That is trillion with a ''t.'' Where do we get the money? Well, we borrow it.

We have been doing a lot of borrowing under this President. This is his record. He is building a wall of debt that is almost unprecedented in the history of the finances of this country. When he came in at the end of his first year, the debt was $5.8 trillion. At the end of his tenure, it will be $10.4 trillion. In the 8 years he is responsible for, the debt will have risen to $10.4 trillion. In fact, he will have nearly doubled the debt of the country.

More alarming is where we are getting it from because increasingly we are getting this money by borrowing from Japan and China. We even owe Korea money. This chart shows it. This chart shows that it took 42 Presidents 224 years to run up $1 trillion of U.S. debt held abroad; $1 trillion of foreign-held debt—foreign-held U.S. debt. It took 224 years to run up $1 trillion of foreign-held debt and all these Presidents, 42 of them. This President tops them all. He increased foreign holdings of our debt by $1.51 trillion so far, and counting. He has dug a very deep hole.

We have proposed a series of reforms.

I held up just moments ago a picture of a French sewer system and asked the question: What does this have to do with the U.S. budget? Well, it turns out it has quite a bit to do with the U.S. budget because we now find companies in this country—wealthy individuals buying European sewer systems, not because they are in the sewer business but because they want to avoid taxes in this country. How do the two have any relationship? Well, here is how it works: They buy a European sewer system, they put it on their books here, they depreciate it for tax purposes here, reducing their tax bill, and they lease the sewer system back to the European cities that built them in the first place. What a scam.

I just held up a picture of this little five-story building. Here it is. This little building down in the Cayman Islands is home to 12,748 companies. What a remarkable building this is. That little five-story building is supposedly the corporate headquarters of 12,748 companies. Now, are they all really doing business out of that little building down in the Cayman Islands? No, of course not. They are not doing business down there. They have a postal drop down there in order to claim that it is their headquarters for tax purposes. Why would they do that? Because the Cayman Islands doesn't have any taxes. So what they do is they have a subsidiary of this company that sells to another subsidiary that is wholly owned, and they sell at cost to subsidiary No. 2. Then they sell from subsidiary No. 2 to subsidiary No. 3 that is down in the Cayman Islands. They sell to them at cost. Then the subsidiary in the Cayman Islands sells to another subsidiary over in Germany or France and shows a big profit in the Cayman Islands where there are no taxes. That is an outrage. The vast majority of us pay what we owe. We have some who don't, and they are getting away with it with these scams. We say shut it down.

Let's not go borrow more from China and Japan and dig the hole deeper the way the President wants us to do. That is what our budget resolution says. That is what my amendment says. Yes, absolutely, don't let the alternative minimum tax be expanded from 4.2 million people in this country to 26 million. Don't let that happen. Yes, extend the research and experimentation credit. Yes, extend the sales tax deduction. Yes, provide for these other important tax incentives, especially the energy tax incentives. But instead of borrowing the money, instead of just going back hat in hand to China and Japan and asking them for more money, let's shut down these offshore tax havens, these abusive tax shelters and this tax gap where we have people who owe money but aren't paying it. Let's go after them instead of going over to China and being dependent on the kindness of strangers to finance our country.

We are headed for a cliff here because under this administration the debt has skyrocketed before the baby boomers ever retire. I have shown the chart that shows what has happened to the debt. The debt has gone up like a scalded cat.

Here is what has happened to the debt under this President and these policies: up, up, and away. He has nearly doubled the federal debt. He has more than doubled the foreign holdings of our debt. In fact, the increase in foreign-held debt under this President is now 150 percent of the amount accumulated by all previous Presidents combined over 224 years. As a result, we now owe the Chinese hundreds of billions of dollars. We owe the Japanese even more. We even owe Korea now over $40 billion. Enough is enough. Enough is enough. Let's quit digging the hole deeper. Yes, absolutely, let's provide middle-class tax relief. That is in this budget.

As I have said before, with all the talk from the other side about the biggest tax increase in the history of the world, here is the record. Democrats had been in charge for 1 year and we have provided $194 billion of tax relief, and you don't have to wonder if that is true. Just go home and check your mailbox. You are receiving a check passed by this Congress, signed by the President—a stimulus package—with $150 billion in that package alone. But we have taken other steps to provide other tax relief as well, including not allowing, last year, the alternative minimum tax to be expanded, and we are not going to let the alternative minimum tax be expanded this year either. That is a fact. That is the record. It is not rhetoric, it is a fact.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

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

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

Mr. CONRAD. Perhaps, I would ask the ranking member, could we just agree that whenever we go into a quorum call, we equally divide the time?

Mr. GREGG. Yes.

Mr. CONRAD. I ask unanimous consent that we adopt that as a rule, that any time we go into a quorum call, we equally divide the time.

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

Mr. CONRAD. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. I would ask the Senator from South Carolina, would it be acceptable—I understand it is with Senator BOXER who has a matching motion to yours—to have 30 minutes equally divided?

Mr. DEMINT. Yes.

Mr. GREGG. On both motions?

Mr. DEMINT. I just have one. Thirty minutes equally divided?

Mr. CONRAD. On the two.

Mr. DEMINT. Yes.

Mr. CONRAD. That would help very much. I appreciate the Senator's courtesy.

Madam President, I ask unanimous consent that we have 30 minutes equally divided on the DeMint and the Boxer motions.

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

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

MOTION TO INSTRUCT

Mr. DEMINT. Madam President, I send a motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that if the final conference report includes section 304 of S. Con. Res. 70, the deficit neutral reserve fund to invest in clean energy, preserve the environment and provide for certain settlements, as passed by the Senate, that such section shall include an additional requirement that legislation providing for new mandates on greenhouse gas emissions that would harm the United States economy or result in a loss of jobs should not be enacted unless similar mandates are enacted by China and India.

Mr. DEMINT. Madam President, I want to take a few moments to explain this motion. I hope we can all agree on it. If there is one thing that we hear from both sides when we are talking about trade around the world, and trade agreements, it is there needs to be a level playing field; that trade needs to be fair; that the terms should be the same on both sides.

This motion to instruct the conferees addresses that one issue. It would prevent Congress from passing any law with new mandates on greenhouse gas emissions that would harm the U.S. economy or result in job loss unless both China and India had the same mandates—in other words, if we had a level playing field. It is not going to help the environment in the United States or the world if we pass mandates that raise the cost of doing business in our country, particularly those companies that are energy intensive, especially manufacturing, if we create mandates that do not exist in India or China. Our companies will simply relocate to other countries, taking American jobs with them.

The point of this motion is to put in front of all of the conferees the idea that it is important for us to reduce greenhouse emissions, to reduce CO_2 emissions all over the world. But it is also important for us to keep in mind that if we do something that is isolated to the United States, that hurts our economy and costs us jobs. It makes no sense if we don't require the major industrial countries, such as China and India, to do the same.

So we have seen over the last 15 years that CO_2 emissions in the United States have actually grown less than the economy has grown. So our productivity is increasing, and our use per capita, as far as CO_2, is actually declining. We see at the same time a 100-percent increase in emissions from China and India. Anybody who watched the prelude to the Olympics in China can see the results of that in the air.

So I ask my colleagues—particularly the conferees—to support the idea that we will not do anything that puts new emissions standards on our companies in this country, if we know it is going to hurt the economy or jobs, and that we need to insist the same standards apply in China and India.

With that, I will yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, I rise to speak against the DeMint motion and in favor of the Boxer motion, which takes on the issue of global warming in a way that is consistent with the information and the facts that we have today.

The DeMint motion is a throwback to 10, 11 years ago when everybody around here, including myself, was saying we better watch out and not do anything about global warming until the undeveloped world acts. We better sit back and do nothing. You know what. We cannot do that anymore. This is a time of change. This is a time where we have to challenge the status quo. This is a time when we need to stand up as the leading country in the world and say that we can fight global warming, and we can win this fight. As a matter of fact, if we approach it with hope, not fear, we are going to create tens of thousands, hundreds of thousands of new jobs. We are going to get our people off of fossil fuel, not having to worry about gas prices anymore, and we will create new technologies that will spur us on to an economic renaissance.

But what happens with the DeMint motion, he gives China and India a veto power over what we should be doing. Imagine sitting back and saying we are not going to do anything about human rights until China acts. We are not going to do anything about a better educational system until India acts.

Why would we give up our chance to take the mantle of leadership and finally grab hold of this issue, and do it in a way that makes us quite strong in the global marketplace? So when you look at the DeMint motion, it is very similar to what passed in the last century, if you will, more than 10 years ago. That is why I think my friend's party is in so much trouble—because they fight against change, they fight for the status quo, they fear change, and this is a time of change.

I didn't ask for this moment during the budget debate. I don't think this is the right place to debate a cap-and-trade system because we will be tackling this subject matter soon enough. It is not going to be easy. Change isn't easy. But this is positive change, where America says we will lead. We know from the Pentagon, and we know from our intelligence officials that if we do nothing, we become less secure in the world because global warming, we know, will have an impact on drought, floods, cyclones—all of the things we are already seeing—if we do nothing because we have given over our chance to act to India and China, and our people will suffer.

Yesterday, the Bush administration declared that the polar bear is a threatened species because the polar bears' habitat is shrinking away. The permafrost and the ice that the polar bear stands on to hunt is literally melting out from under them. Now, for the Bush administration to declare that is extraordinary. They said it is because of global warming, and that in 30, 40 years we will not have any more polar bears. That is one example.

Scientists tell us 50 percent of God's species could be gone. For those of us who happen to believe there is a spirituality to this world—and I do—it is

our destiny to save the planet. It is not our destiny to support the DeMint motion, which leaves it up to China and India.

We have a better way. We say in our substitute that no legislation should pass mandates on greenhouse gas emissions until it effectively addresses imports from China and India and other nations that have no similar emissions programs. We agree that no bill should pass unless it addresses the imports from these nations. So that is our alternative—not to say stop the world, I want to get off; not to say that America will be missing in action in the biggest domestic challenge of our time, but to grab hold of that challenge and make sure we do it in a way that is fair to our industry, fair to our workers, fair to our consumers, fair to our manufacturers. And when those imports come in at our ports, if those countries seeking entry into our country do not have equivalent programs, then they will have to get the allowances at the border in order to bring those goods into the country.

That is the way we are going to handle this problem. So, once again, I say to my colleagues, we are going to have a debate on global warming very soon, thanks to Senator REID putting it on the schedule for June 2.

When we are told by the leading scientists of the world that if global warming is left unchecked, our planet will become inhospitable to us as human beings, to our children, to our grandchildren, and that there will be vectors around that we cannot combat, there will be amoebas in our water, bacteria that have never been there before; there will be storms, cyclones, droughts, and floods—extreme weather conditions; when we see that the habitat for beautiful animals—God's creatures, such as the polar bear—is already being impacted now as we speak, for us to say we will do nothing until China acts—I don't want China dictating what I do in this country. I don't want India dictating what I do in this country. I want to make sure that we handle this issue right and that we are not disadvantaged because they may not act. That is what our alternative does.

I hope we will have a good vote on that alternative and reject the status quo—the throwback position of Senator DEMINT.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Madam President, I appreciate the comments by my colleague from California. Certainly, it should be our highest priority as a nation to continue to remove CO_2 emissions throughout our country. We don't need to wait for any other country to act, only our own.

We do need to recognize that if we put such a burden on our industries in America, they will move production to China, and they will do their polluting somewhere else rather than here. If that is what our legislation does, then we do nothing for the environment, and the only thing we do for our country is send jobs overseas. We need to be smarter in how we deal with this matter.

The side-by-side motion by my colleague from California would add insult to injury. She wants to leave us open to lose jobs in America by putting mandates on our companies that hurt our economy and cost us jobs. Then she wants to add taxes on products that are coming from other countries that don't abide by our mandates so that products cost more for the people who live here, many of whom would not have jobs.

We cannot solve our environmental problems with this kind of convoluted logic. The motion I have put forward simply says if—and only if—a mandate is known to hurt our economy and costs our jobs, then we need to figure out a different way to deal with it than to put a mandate on a U.S. company in competition with businesses that don't have the same mandate in other countries we trade with.

It is only common sense, and it doesn't make sense, again, to send jobs overseas and then try to add taxes to products that we buy from around the world. I encourage my colleagues to think this through. Let me provide a few more facts about what we are trying to do.

We need to work to reduce greenhouse gases, and there are many things we can do that do not hurt our economy and don't drive jobs out of our country. In fact, if we look at it closely, good economics is usually good for the environment. We see that if we move with all compassion but just knee-jerk reactions, we end up with programs, such as an ethanol mandate, that do not help the environment, raise the price of food, and hurt people all over the world. I am afraid that same type of thinking is going on right now.

It is a laudable goal, one with which I agree, that we should continue to work in all reasonable ways to reduce CO_2 emissions in our country.

One recent study from the University of California found that China passed the United States in carbon emissions in 2006 and is now the largest pollution-producing country in the world. This has just been in a few short years, and they are growing much faster than we are.

We do need to keep in mind that carbon in the air that comes from China does as much to hurt the worldwide environment, if, in fact, it does affect global warming—it doesn't matter if it is coming from the United States or China. If we ignore what other countries are doing, we do it at our own peril.

My motion is very similar to bipartisan agreements that we had in the Congress when discussing the Kyoto agreement. It makes no sense to bind our own companies with expensive mandates if we do not have cooperation from countries in other parts of the world. We simply move our production and our jobs somewhere else. So we need to be logical about it.

I mentioned before, according to a World Bank study, both China and India have increased CO_2 emissions by nearly 100 percent from 1990 to 2004, while the United States emissions in that same period only increased by 25 percent, which is less than the growth of our economy during that period.

This emissions scheme we have talked about would export American manufacturing jobs to China and India. With the solution that is being presented by my colleague from California, she is basically saying: OK, let's hurt the economy and lose jobs in this country, but we can make up for it by raising prices of goods that come to us from China and India. That is not going to help anyone in this country, and it is not going to do anything to reduce emissions in the world. It is playing musical chairs with American jobs and basically encouraging the environment to be spoiled in other parts of the world.

In order to truly address greenhouse gas emissions, it is imperative that China, India, and other countries that are emitting need to work together. So if we take this on simply as one country, we will hurt ourselves, we would not help the environment and we will send jobs overseas and actually encourage pollution, magnified, in effect, by not acting in a way that tries to seek cooperation around the world.

I certainly encourage my colleagues to respond to the need to reduce CO_2 emissions and to look at ways we are doing it already that actually create jobs and don't take them from our country. But let's not solve the problem by making it worse and shipping our jobs and pollution overseas and expect to do any good with our legislation.

Madam President, I reserve the remainder of my time and yield the floor.

Mrs. BOXER. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from California has 5 minutes 57 seconds. The Senator from South Carolina has 6 minutes 51 seconds.

Mrs. BOXER. Madam President, will you let me know when I have used up 5 minutes?

The PRESIDING OFFICER. The Chair will so advise.

Mrs. BOXER. Madam President, I say to my colleagues that Senator DEMINT's motion is a back-to-the-future position. Again, it is why his party is in so much trouble. It is not looking ahead with hope; it is looking ahead with fear. It is giving veto power to countries that we should not be following. We should not be following the environmental policies of China. You can barely breathe over there. Yet they are going to have the same until they decide to act and we sit here and do nothing about one of the greatest challenges to face our generation.

I cannot look into the eyes of my grandchildren and tell them: Sorry, I am giving over my proxy to China, I am giving over my proxy to India, and I can't do anything about it.

I don't know exactly what my colleague is talking about. He is telling me what I support, and he has no right to do that. He has no right to say I support higher taxes on consumers because I don't. He has no right to say I want to give away jobs. I have more support from working men and women in my State than probably almost anyone in this body. I take second to none in that category of fighting for the environment and fighting for jobs.

Actually, if my friend knew a little bit more about what we are talking about, he would understand that the bill we are going to come up with has one of the biggest tax cuts in history in it—let me repeat that, one of the biggest tax cuts in history in it—which is going to ease the pain and ease the burden on consumers and on our people and help them pay for high prices of gasoline.

My bill has cuts in carbon of 2 percent a year that we think is doable, and our bill is deficit neutral. It is, as my friend should know, a very bipartisan bill—Boxer, a Democrat; Lieberman, an Independent; Warner, a Republican, and it has bipartisan support.

For someone to stand up and say the purpose of that bill is to hurt consumers, hurt America, hurt jobs, then they have not read the bill or they are giving a political speech. You can put lipstick on a pig, but it is still a pig.

I look at my friend's motion as a sad one. It is a position of surrender. It takes us back to the nineties, when we didn't know what we now know about global warming. It takes us back to the nineties, when we feared taking on that challenge. But our time has come. The time for change is here. It is time, once and for all, to stand up and say we are not going to depend on foreign oil anymore, we are going to make sure we have technology developed in this country that will get us away from foreign oil and away from the countries that hold such a vise around our neck. That is why Senator WARNER is on this bill, that is why Senator LIEBERMAN is on this bill, that is why I am on this bill, and many other colleagues on both sides of the aisle.

So for my colleague to bring this issue up on the budget resolution is unbelievable because he has not even seen the bill. To stand up and say that what I want to do and what those of us who want to act against global warming will do is bad for our country is quite the opposite.

In Great Britain, over the last 10 years, they have reduced carbon emissions by 15 percent. Their GDP rose by 45 percent, and 500,000 jobs were created that are green-collar jobs.

You can stand in the corner and shiver and shake and say: Please, China, please act so we can act. You can say: Oh, India, please act so we can act. Or you can stand up like an American and say: We lead.

This vote is an important vote because what I say in my side-by-side motion is we will not support legislation that does not address the issue of imports from countries such as China and India that have no emissions program.

MOTION TO INSTRUCT

Madam President, I have a motion to instruct at the desk. I wish to make that clear.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution, S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009, be instructed that—

no legislation providing for new mandates on greenhouse gas emissions should be enacted until it effectively addresses imports from China, India, and other nations that have no similar emissions programs.

Mrs. BOXER. I didn't want to forget to offer the motion.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mrs. BOXER. I reserve the remainder of my time. I look forward to a good vote on the Boxer motion.

The PRESIDING OFFICER. Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask to take 10 minutes off the Kyl time.

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

Mr. GRASSLEY. Madam President, I believe we should adopt Senator KYL's motion to instruct the budget conferees. First of all, I wish to comment on the status of the alternative minimum tax. There is some good news regarding the need to do a patch to protect over 20 million families. The Democratic leadership in this body recognized the importance of halting the effect of this tax on these families and provided room in the budget for a patch for this year.

I commend my friend, the chairman of the Budget Committee, for that improvement of the budget resolution over previous years. I do so again and note that the Kyl instruction is consistent with the chairman's position in that regard.

The bad news is, we are halfway through the year and the patch has not been done. The reason is that Blue Dog Democrats in the other body will not supply the votes for an un-offset patch in the House of Representatives.

By the way, the only Blue Dog answer to deficit reduction is to raise taxes. We have seen it on the AMT, and we have seen it on spending legislation. We are seeing now the GI benefit provisions in the war supplemental bill. Why they think of only raising taxes and not of where to cut spending levels to offset the need to spend someplace else I don't understand. They never seem to propose spending cuts as a remedy. I think it is fair for me to say they never do. They only ask for higher taxes.

I hope people in this body will start to pay attention to this issue. The Blue Dogs' bark is deficit reduction, but their bite is always more taxes.

In addition to the AMT patch, both bodies need to deal with several expired provisions of tax law. We need to focus on this problem and get legislation ready.

Earlier today, the House began work on an extenders bill. It is offset with tax increases. I urge them to send the bill to the Senate so Chairman BAUCUS and I will have a vehicle to deal with this pressing problem. We need to act ahead of time. We need to act before the IRS forms are finalized. We cannot go through another filing season fiasco, such as waiting until December last year when it finally got passed, and the IRS had a lot of extra work after the forms had already gone out. Let's not create big problems for our taxpayers and the Internal Revenue Service.

Senator KYL's motion then is very important to assure us of the quickest route to complete action on AMT and extenders. The quickest route is the same route as last year: Drop the offset demand.

Folks on the other side happen to be complaining all the time that offsets are essential. I would like to make it clear that the policy issues behind offsets are one thing. We ought to ask ourselves the same question on any tax policy proposal, whether it raises revenue or loses revenue. The question should be: Does a tax legislative proposal make tax policy sense? It ought to be decided on the basis of policy. That is the bottom line.

On the matters of tax policy, Senator KYL's motion to instruct, the answer is very evident. On the AMT patch and extenders, the answer is overwhelmingly clear. The answer is ''yes'' on the motion to instruct. The policy call is a slam dunk. It is backed up by the politics; that is, supermajority votes for an AMT patch and extenders in the House and Senate that are very difficult to get.

We have to divorce the merits of the current law provisions from the offset question. Offsets should be judged on their merits. An AMT patch and extenders should be judged on their merits. Why should we seek divorce of the two, some might ask. Here is the reason.

Right now, we have a budget process, including pay-go, that is biased toward higher taxes and, of course, higher spending. As evidence, take a look at expiring spending provisions. According to the CBO, they total $1.3 trillion—a whole $1.3 trillion. That is double a permanent AMT patch score. That spending is not subject to pay-go. It, unlike expiring tax provisions, is included in the baseline; hence, it is home free. Just like the record tax increases built into this budget, so too is a record spending increase.

I have not even talked about appropriations increases. That additional above-baseline spending is included as permanent, once passed.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, through you, I ask the Senator if he would yield for the purpose of a unanimous consent agreement we have worked out?

Mr. GRASSLEY. Yes.

Mr. CONRAD. I think it would be helpful to the overall process that we do this.

Mr. GRASSLEY. Yes.

Mr. CONRAD. Madam President, I ask unanimous consent that the following motions to instruct conferees be the only motions, except the pending motions, with no amendment in order to the motions, and that would be the Conrad AMT and the Kyl AMT amendments, with 60 minutes equally divided, with the time already consumed being applied to the 60 minutes; that there be a Democratic nuclear energy reserve fund amendment and a Republican nuclear energy reserve fund amendment and the two amendments be limited to 30 minutes equally divided; that there be a Democratic OCS amendment and a Vitter OCS amendment, with 30 minutes equally divided.

We have already had initial debate on the Boxer China-India and the DeMint China-India amendment with 30 minutes equally divided, and we will apply all time already consumed to that 30-minute limit.

Finally, a Gregg or Republican $1 trillion cap on discretionary spending amendment with 30 minutes equally divided; that points of order be waived; that upon the use of debate time on each motion, it be set aside and the motions to be voted in the order listed; that there be 2 minutes prior to each vote, and then after the first vote, the vote time be limited to 10 minutes each; that upon the use of all time, the Senate proceed to vote in relation to each motion; that there be 60 minutes of general debate time available to the chair and the ranking member.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Madam President, I would note that obviously the amendment that has already been debated in the time consumed, the Gregg amendment, would be the first amendment to be voted on and these other amendments voted on in the order indicated, or we will do it as offered. I guess we can do it as offered, if that would accommodate the Senator from California, because we did the Boxer-DeMint amendment offered earlier. We will do it as offered.

I thank the Senator from Iowa for his courtesy.

Mr. GRASSLEY. Would you give me 1 more minute added to what I had?

Mr. CONRAD. Absolutely, an additional minute. Always, anytime, to the Senator from Iowa.

Mr. GRASSLEY. Madam President, I have been given 1 additional minute, so I have 5 minutes left at this point?

The PRESIDING OFFICER. That is correct.

Mr. GRASSLEY. The bottom line is that it is about time we start treating spending and taxes the same, under pay-go. So the Kyl motion to instruct treats expiring tax relief the same as expiring spending. That reason alone, aside from the merits of the AMT patch and extenders, should be enough to get the support from all of us on the Kyl motion to instruct.

The bottom line is that pay-go has a bias toward tax increases and increased spending. We ought to have the same rules apply to the expenditure side as to the tax side. Presently, they do not. But this would make it possible for that to be the case.

The chairman of the Budget Committee continues to say he is going to bring in all this money from shutting down abusive tax shelters, which I also favor. Some examples are cross-border leases of foreign sewer systems, which he mentioned, or shutting down tax havens, which he mentioned. I would support him in every one of those efforts.

But Congress has done a great deal already, shutting down abusive leasing deals. We did that in 2004. The Senate has tried to shut off tax benefits from older deals, but the House Democrats have rejected closing those loopholes. So I do not see how the distinguished chairman can count on this revenue even though he keeps saying this is the answer to all of our offset problems—in other words, getting enough new revenue to offset tax cuts someplace else.

The chairman also continues to say we can get $100 billion per year from shutting down offshore tax havens, according to the Permanent Subcommittee on Investigations. The fact is, there are no legislative proposals out there that the Joint Tax Committee has scored to bring in anywhere close to the $100 billion we are led by the other side, by the majority, to believe we are going to be able to do.

The 12,748 companies the chairman says are in the Ugland House in the Cayman Islands are not claiming to be doing business there. It is simply their registered address, just like an address in Nevada or Delaware is a registered address of many more thousands of companies. Does the chairman have a picture of an office building in Wilmington, DE, or Reno, NV? I assume the chairman is just as willing to go after onshore tax evasion facilities by State corporate law as offshore tax evasion, and he would want to do so in a way that does not put our information exchange network at risk.

The chairman knows that it is the Joint Committee on Taxation that provides Congress with revenue scores, not the Permanent Subcommittee on Investigations. Anything that would raise the kind of money assumed in this budget would involve a significant change in tax policy, which is the last thing the chairman says he wants to do.

Again, I do not see how the distinguished chairman can count on all this revenue without assuming substantial tax increases when the Joint Committee on Taxation, the ''god'' of assuming revenue coming in under tax law changes—if that ''god'' cannot score it.

I yield the floor.

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

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

Mr. KYL. Madam President, I had earlier filed and Senator GRASSLEY had spoken on a motion to instruct conferees. An alternative has been presented by Senator CONRAD. I wish to discuss both of them, this motion to instruct conferees on the alternative minimum tax, and the so-called tax extenders.

Each year Congress is required to fix the AMT because without such a fix—around here it is called a patch—but without such a fix, it would apply to, last year 22 million people, this year 26 million people. It was never intended to apply to those people.

It was originated about 20 years ago because there were a couple hundred millionaires who were not paying taxes because of all of their credits, deductions, offsets, and so on. People in Congress thought that was not right, so we said: Well, no matter what, even if you have enough other tax shelters to eliminate your tax liability, we are going to make you pay an alternative minimum tax, no matter what. But it was not indexed for inflation, so now everyone is going to have to be paying it. Each year Congress says: Well, we did not intend that, so we will fix it so you do not have to pay it this year.

The question is not whether we are going to relieve taxpayers from that—we will—but whether the rules of the Democratic majority that it has to be paid for will, in fact, be implemented so that we have to raise taxes in order to save taxes, save people from having to pay taxes. Obviously it does not make any sense to say to taxpayers: You should have not to pay the alternative minimum tax, but under the Democratic rules we have to raise your taxes so that the Government does not lose any money from us relieving you of that tax liability. That does not make any sense.

So each year we waive that requirement. All we are saying here is we need to do that again this year. I understand the pay-go requirement is part of the Democratic rule around here. It has not been applied in the past for a very good reason: It makes no sense, and it should not be applied here either.

We never intended that this tax apply to 26 million taxpayers, we never intended to collect the revenue, we are not going to collect the revenue. So why do we have to make the Government whole for revenue that we never intended to give it in the first place, especially since it means raising taxes on people in order to ''pay for the reduction in revenues to the Treasury''? That is what this resolution is about.

The other half of it is to instruct the conferees that we need to also extend the so-called extenders. Now, that is shorthand around here for a variety of tax provisions which provide various credits and other relief to taxpayers such as the research and development tax credit. But we only do that a year at a time, so every year about this time we have to start talking about passing the extenders package. We are going to do it; there is not going to be any debate about it. The distinguished chairman of the Budget Committee made the point earlier that agrees with us that this needs to be done; it is a question of how we do it.

What we are doing is saying here, today, we need to do it in the following way: Pass it as we did last year. You do not have to raise taxes somewhere else in order to ''pay for it.''

This is not a case that make any sense for us. If you are going to give tax relief, why would you raise taxes to have to pay for it? We are not counting on any revenue. Every year we do it this way. So why the charade that somehow we have to raise taxes to pay for something we never intended to collect revenue from in the first place?

That is what this resolution does. Let's strip away the pretense here that somehow or other we are going to pay for it. ''Pay for'' are not the right words anyway. That starts from the presumption that the Government owns all of this money, and that if we ever decide to give the taxpayers a break so they do not have to pay for it all, the Government gets to make up the revenue some other way.

How does the Government make up revenue? It taxes people. That is the only way the Government makes revenue. So the assumption is, well, the Government deserves all of this money, and if we ever say we are not going to collect some of it because we want people to keep more of it, then we have to make that up some other way, obviously by raising taxes.

I would rather start from the other premise, which is that the money belongs to the people and especially in times of economic downturn it is important that they be able to use, in the way that they deem most beneficial, the income they have earned, and that when we say we are going to relieve them of the alternative minimum tax liability, for example, we are doing that for a reason, and we do not need to start from the premise that it is the Government's money and somehow we have to keep the Government whole and give the Government money by raising taxes even though they were never going to collect this AMT revenue in the first place.

This must sound like a strange debate to the American people. But that is what the rule the Democratic majority has in place would require. That is what the budget would require. All we are saying is, since we are going to be passing a budget, let's instruct the conferees on the budget here that is not what we are going to do here. We are going to do it as we have in the past, as we did last year. We are going to pass the AMT relief, we are going to pass the extenders, and, no, we are not going to raise taxes on someone in order to pay for them.

Now, what is the alternative that the distinguished chairman of the Committee comes up with? It is the identical motion I have, with one other provision. It is this addition:

> And that we should insist that every effort should be made—

That is a sure sign for: We are not really going to do anything about this, but we at least want to make it sound good—

> to offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, addressing offshore tax havens without raising taxes.

Well, I am glad we have the ''without raising taxes'' in there, because none of us wants to raise taxes. But this reminds me of the candidates, and we have all seen them out on the stump: Yes, we have a huge Federal budget deficit, but I want to spend more money. The way we are going to pay for it is we are going to end waste, fraud, and abuse in Government. That is a sure sign for a politician who has not figured out how to get the money in any other way. Everyone is going to end waste, fraud, and abuse. You know, I used that phrase in a sort of facetious way, but actually I think it is in here.

Shutting down abusive tax shelters. There we are. Abuse. Waste, fraud, and abuse. Addressing offshore tax havens. The reality is, the Finance Committee on which we sit comes up with offsets to offset true tax policy whenever we can, and we have wrung out our Tax Code for every last dollar we can find that involves waste, fraud, and abuse.

There are not any abusive tax shelters out there. If they are out there, we have not found them or we would sure enough have gotten the money from them. The same thing about offshore tax havens. We have gotten about $60 or $70 billion from these, and there is no more to get. If there is, we would have gotten it by now.

Then there is the tax gap. The tax gap is this: Not everyone pays all of the income taxes the IRS thinks they owe, and the problem is we do not know exactly who has not paid. But the estimates are that if most businesses in an industry pay $100, and some only pay $80, the assumption is that maybe those that only pay $80 probably ought to be paying more. We cannot figure it out, but we think the money would be there if we had a better way to account for it.

We have held hearings, and the experts basically say: There is not much more you can get. You probably would have to pay more to find it than it is worth to collect.

We did do one thing, though. We actually subcontracted out to some tax collectors. If they can go out and find some and they can bring it back, they get a little piece of the action. It would help us because they would collect some of these revenues.

The only thing from the other side is, well, let's eliminate that policy. We are not going to send these guys out to try find where these taxes are. So if they intended to collect the revenue or to end or minimize the tax gap, they would not be sponsoring the legislation to fire all of the people we hired to go out there and find the revenue.

The bottom line is, this is a nice sounding phrase, but it is like the person that goes out and says: I am going to end waste, fraud, and abuse. That is how I am going to pay for all of the new spending I am recommending.

I urge my colleagues to support the motion I have filed, the motion that Senator GRASSLEY spoke to, and to reject the motion of the chairman of the Budget Committee which, at the end of the day, recognizes the reality. We are going to do the AMT patch. We are going to do the tax extenders. We are not going to pay for them. So let's don't pretend like we have to find revenue from someplace else in order to make this happen.

I reserve the remainder of my time and inquire how much remains?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. KYL. How much remains on the other side?

The PRESIDING OFFICER. The other side has 16 minutes.

Mr. KYL. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

MOTION TO INSTRUCT

Mr. GREGG. Madam President, I am not speaking on Senator KYL's motion. He has reserved his time. I am going to ask to set aside his motion and send another motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

> The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the final conference report includes a level for 2009 budget authority not to exceed $1 trillion for non-emergency discretionary appropriations.

Mr. GREGG. As I understand the order, we have pending the motion to instruct that I offered, the motion to instruct which Senator KYL offered, the motion to instruct which Senator

CONRAD offered relative to the motion of Senator KYL, the motion to instruct which Senator DEMINT offered, the motion to instruct which Senator BOXER offered in relationship to Senator DEMINT's motion, and this motion; is that correct? Is there anything else pending right now?

The PRESIDING OFFICER. There is one correction; otherwise, you are correct. The Conrad motion is not pending.

Mr. GREGG. The Conrad motion relative to the Kyl motion has not been sent to the desk.

The PRESIDING OFFICER. That is correct.

Mr. GREGG. Relative to the unanimous consent agreement, other than the motion I have just sent to the desk, which is a trillion-dollar spending cap, we would still have available to be sent to the desk the motion relative to nuclear energy reserve and the motion relative to offshore drilling, with the side by sides.

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. I thank the Chair. I believe all the motions that are pending, to the extent they still have time remaining on those motions pursuant to the unanimous consent request, that time is reserved; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. So right now I will address the trillion-dollar spending one and have that come off that time which is, I believe, 30 minutes equally divided.

The PRESIDING OFFICER. That is correct.

Mr. GREGG. What this instruction says is, we should not be spending $1 trillion on discretionary accounts around here. This budget for the first time, the Democratic budget, because of its increases last year on top of the increases in this budget, has hit the trillion-dollar mark. That should be a fairly big red flag, that we are now going to spend $1 trillion in discretionary spending. I have trouble comprehending what a trillion dollars is. I suspect almost everybody does. But if you take all the taxes paid since we began as a republic, I believe it totals something like $42 trillion. That would be over 200 years. So this one budget is going to spend a fairly significant amount of what has been raised in taxes since our country began. It is a big number, $1 trillion. It seems to me we ought to sort of maybe draw a line here, take a breath, and say: Let's stop. Let's think about what we are doing. Let's see if rather than spending this huge amount of money, we can't save a little money.

Last year the Democratic budget, and then the Democratic appropriations bills, increased spending by $22 billion. That was what they proposed. It is not just a 1-year event when you raise spending around here by $22 billion. That compounds over 5 years. It is $22 billion plus $22 billion plus interest, plus $22 billion. It adds up. In fact, a 5-year number is probably closer to $220 billion, $250 billion, when you spend $22 billion in 1 year or increase spending by that much. So it is a lot of money. Last year they increased spending by $22 billion on nondefense discretionary spending. This year it is not absolutely clear, because it hasn't actually been disclosed to us, but we know it is going to be well over $20 billion on nondefense discretionary spending again.

That is why the Democratic budget takes us over $1 trillion; $1.9 trillion, I believe, will be spent under this budget on discretionary spending. As I said, it is time for a timeout. That is what this motion to instruct says. It says: Let's go back and rethink this effort. Can't we somewhere in that trillion dollars find enough savings to get us back under $1 trillion? Shouldn't we certainly be saying we are not going to push the American taxpayer over the trillion-dollar number; rather, we will make a little extra effort to try to reduce spending in this account if we want to increase spending in that account, rather than constantly add on to the spending?

This Democratic budget has absolutely no programmatic savings in it. The President suggested some programmatic savings. I believe his programmatic savings added up to about $15 billion. None of those was accepted and none of those was put in this budget. None of those are assumed. In fact, all it does is add to spending and add to programs. It is hard to believe that in a trillion-dollar budget, we couldn't find a mere 1 percent or 2 percent of savings by reducing programs which have either outserved their usefulness or which, in the order of priorities, we simply can't afford, and we should make difficult decisions of maybe not increasing them as much as proposed or maybe even reducing them. In most instances, we are talking about slowing the rate of increase. We are not actually talking about reducing.

This is a red-flag motion. It says: Let's pause. Let's think about this. Do we want to blow through the trillion-dollar mark on the discretionary side of the ledger without having made some effort to try to save some money around here, to reallocate money, to set priorities, and to do what is affordable? I don't think we do. That is why we are calling on the conferees to take some action to bring this number back under $1 trillion. That means they have to save $9 billion, $10 billion. That is 1 percent. They ought to be able to do that. I know it is a lot of money, $10 billion, but on a trillion-dollar budget, it certainly ought to be a doable event. It does seem to me the American people deserve that type of effort. We could all earn our pay around here, a number of times over, if we were to save the American people $10 billion or $20 billion and allow them to keep that money so they can spend it and make their lives better rather than have the Government spend it for them.

That is what this motion does. It instructs the conferees to bring this budget back under the trillion-dollar level in the discretionary side.

With that, I reserve the balance of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. GREGG. Madam President, I ask unanimous consent to set aside the pending motion and send to the desk a motion on behalf of Senator GRAHAM dealing with nuclear power.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. GRAHAM, moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist on the inclusion in the final conference report section 311 of S. Con. Res. 70, the deficit neutral reserve fund to improve energy efficiency and production, as passed by the Senate, and that such section include an additional requirement that the legislation also encourages the removal of existing barriers to building new zero-emission nuclear power plants in the United States.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I note that the Senator from Louisiana is on the Senate floor. I had planned to offer this motion on behalf of Senator GRAHAM in order to move the process along. He is in accordance with that as he is in a meeting he could not get out of, a briefing on security. I will reserve the remainder of the time on the motion so Senator VITTER can be recognized.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Thank you, Madam President.

I thank the distinguished ranking member for the courtesy.

MOTION TO INSTRUCT

Madam President, I have a motion I send to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the conference report include a reserve fund that requires the Chairman of the Senate Budget Committee to adjust budget aggregates and the allocation of the Energy Committee, if the Senate considers legislation that allows a Governor, with the

concurrence of the State legislature to petition for increased energy exploration on the Outer Continental Shelf and that allows for revenue sharing for such producing States on new areas of production and new leases made available, if the average price of regular gasoline in the United States reaches $5 per gallon.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, if I could briefly explain this motion, it attempts to, again, get us to deal directly with the enormously important issue, the real crisis that consumers across America face; that is, the high and escalating cost of energy, including gasoline at the pump.

This will finally suggest to the American people that we get it, that we understand their plight, that we feel their pain, if you will, to use an often used phrase, and we are actually going to do something about it. We are going to act.

This motion to instruct the conferees would show the Senate is serious about increasing energy supplies and doing that to decrease gasoline prices.

The motion is very simple. It would instruct the budget conferees to include a reserve fund for future legislation that we would be expressing an intention to pass. That legislation would allow a Governor, with the concurrence of his or her State legislature, to petition for increased energy exploration on the Outer Continental Shelf off of that State.

It would also allow for revenue sharing coming from such exploration and production, to give producing States a fair share on new areas of production and new leases made available.

Specifically, I would suggest that we follow the precedent and the policy we set a few years ago. As we opened new areas of the gulf, we said the producing States will have a fair share, will finally get revenue sharing—37.5 percent of the revenue from that new production.

Finally, this would only happen if the price of regular gasoline in the United States reaches $5 a gallon at the pump.

The American people are wondering right now if we understand what their daily lives are all about because as gasoline prices at the pump are high, and higher the next day, and much higher the next month, we seem to want to do absolutely nothing about it.

This Congress, under Democratic leadership, came into power in January of 2007. As that happened, the Democratic leadership of this new Congress was very clear that an absolute top priority was to deal with sky-high energy prices.

At the time fuel prices were about $2.33 a gallon at the pump. Well, if that was sky high then, I do not know what adjective to use for today because since that time, from January 2007 to today, we have gone from $2.33 a gallon at the pump to about $3.72 a gallon—a 61-percent increase. Unfortunately, there does not seem to be any real end in sight.

Now, the American people get this because they live it. They go to the gas pump weekly. They live it. They see that bill for filling up their tank go higher and higher. They have to wonder if we get it because we talk a lot on the Senate floor, we debate a lot, but what have we done? In my opinion, very, little on this crucial challenge—even crisis—facing the American people.

When I look at this issue, I go back to economics 101: supply and demand. Price is set by the intersection of demand and supply. So you can try to stabilize or lower prices in two ways: You can try to decrease demand; you can try to increase supply.

I think our energy situation is so dire, so challenging, the escalating prices are so great, the pace of escalation is so staggering, that we need to take action on both sides of the equation. We need to do everything possible on both sides of the equation.

We need to lessen demand or at least mitigate increasing demand from other countries worldwide, such as China and India. We cannot control what they do. Their demand is increasing enormously. But at least we can try to mitigate that with demand reductions in our own economy. I support those measures: greater efficiency, greater conservation, moving to alternative forms of fuel and energy. That is all absolutely crucial. We need to do that. We have done a little of it; we need to do more.

But as we do that, we cannot ignore the supply side of the equation. We need to address both sides at the same time. We need to do everything reasonable we can on both sides of the equation at the same time.

That brings us to supply. For far too long, Congress has absolutely ignored the supply side of the equation, has absolutely refused to do anything to increase supply in this country—by increased exploration and drilling on our Outer Continental Shelf or in Alaska or anywhere else.

I do not know how long we are going to wait. What does the price have to get to before we hear the American people and before we finally act more on the demand side, yes, and more on the supply side?

Again, my motion to instruct would address this challenge head on. It would say, if the price at the pump gets to $5 a gallon—we are not there yet. We are below $4, but if it gets to $5 a gallon, is that high enough to get us to act, to get us to do something, to get us to, yes, address demand but also address supply?

I think the American people think that is plenty high enough to get us to act. If we push past that point, then under my motion to instruct, we would support a reserve fund for legislation to allow exploration and production off our coasts on the Outer Continental Shelf.

But, again, I want to emphasize there would be two important rules we would have to follow with this increased exploration and production. No. 1, the host State coast we are talking about would have to want that activity to happen. That Governor and that State legislature would both have to say: Yes, we believe this is good for the country; we believe this is good for the State; we want this activity to happen.

Secondly, when the activity does happen, that host State would get a fair share of the revenue, would get the same share as we set for the host States in the gulf when we opened new areas of the gulf a couple years ago: 37.5 percent. That host State could then use that revenue for its priorities: education, K–12, higher education, highways, environmental cleanup, beach restoration.

In the case of my State, Louisiana, it is perfectly clear what our priority for that money is. We have already passed not only legislation but State constitutional amendments regarding how we are going to use that money. It is to address the crisis that is happening on our coast, to battle coastal erosion, to enhance coastal restoration, to build hurricane protection, and to build hurricane evacuation routes.

To me, that is a very commonsense consensus approach. The price of gasoline has been rising astronomically. As I said, from the start of this Democratically led Congress, it has already risen 61 percent. The Democratic leadership of this Congress began in January 2007 saying this is a top priority. Yet little to nothing has happened, as that price has risen 61 percent.

Are we finally going to hear the pleas of the American people? Are we finally going to act on all sorts of fronts to try to stabilize and bring down these prices? This is a sensible solution on the supply side that can have a real impact.

Let me reiterate. We need to do everything conceivable, both on the demand side and the supply side, because our challenge is that great. I support demand side measures. I supported increased efficiency standards. I supported the measure we passed a couple days ago temporarily ceasing filling the Strategic Petroleum Reserve. So we decrease demand in that very modest way. We need to do more in terms of fuel efficiency, conservation, and new forms of fuel and energy.

But as we address much more aggressively the demand side of the equation, we cannot ignore the supply side. We need to increase supply, particularly domestic supply, at the same time. We have enormous reserves in this country off our coasts, as well as in Alaska, as well as places on shore to do that. What we have not mustered so far is the political will and the votes in Congress to allow our people and our industry to do it.

My motion would say $5 a gallon—if we get there, we sure as heck need to act. We sure as heck need to do all of those sensible things on the supply side, just as we should on the demand side.

I urge all of my colleagues, Republicans and Democrats, to support this sensible measure. The leadership of this new Congress has been talking about energy prices since the Congress came in in January 2007. The only thing that talk has done is be concurrent with the rise in prices at the pump of 61 percent, from about $2.33 a gallon to $3.73 a gallon.

Talk is not good enough. The American people deserve action. They deserve action on the demand side, much more aggressive action than we have taken to date. They sure as heck also deserve action on the supply side to increase our domestic supply, which can have a major impact on price at the pump.

I urge my colleagues to support this sensible motion in that regard.

I yield back my time.

Mr. MENENDEZ. Mr. President, I believe there is time in opposition to this motion?

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator is correct.

Mr. MENENDEZ. I wish to claim about 10 minutes of that time.

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

Mr. MENENDEZ. Mr. President, here we go again. Yet again my friends on the other side of the aisle are trying to sell the American people a bill of goods to try to convince them that drilling along our shores will do something to lower gas prices. Opening our shores to drilling was a bad idea in June of last year when we voted down an amendment to the Energy bill—very similar—it was a bad idea when this body voted it down in March of this year on an amendment to the budget resolution, and it was a bad idea when we voted this idea down by well over 14 votes 2 days ago on an amendment to the flood insurance bill.

Ending a bipartisan, 26-year moratoria on oil drilling on the Outer Continental Shelf will do nothing but jeopardize our precious natural resources. The Energy Information Administration projects that even if we opened the entire Outer Continental Shelf to drilling off the east coast, off the west coast, and opened the entire eastern Gulf of Mexico, nothing would happen to gas prices—nothing. Why?

First, because production wouldn't begin until the year 2017. The infrastructure to drill for oil is not just a large oil platform but a network of hundreds of miles of pipelines that transport oil from the platform on to the land and then on to the refineries. This kind of infrastructure simply does not exist on the east coast and in only limited exceptions on the west coast.

The second reason why opening all our shores to oil drilling will not lower gas prices is because by the time full production actually ramped up in 2030, drilling off all of the coasts full tilt—full tilt—would only result in a whopping 3-percent increase in domestic production. Even in 2030, as our continent is rung all the way around by oil platforms, all of this new supply would be eaten up by a 7-percent increase in domestic demand. So the Energy Information Administration predicts: ''Any impact on average wellhead prices is expected to be insignificant.''

The fact is that over 80 percent of the resources in the Outer Continental Shelf are already open for exploration. Since 2001, the Bush administration has issued over 100 new leases. Many of these leases are in the eastern gulf where the oil industry already has much of the infrastructure necessary to go into production. Yet only 12 of these new wells have been drilled. The industry is only developing a small fraction of the area already open for drilling. So why isn't ExxonMobil pumping some of its profits into developing some of these areas? If companies are not interested in developing the large fields already in the Gulf of Mexico, why is it so critical to open environmentally sensitive areas to more drilling?

My home State of New Jersey and the New Jersey shore is a priceless treasure that my home State will protect at any cost. The shore also generates tens of billions of dollars in revenues each year and supports almost half a million jobs. If we open the east coast to drilling, we jeopardize a tourism and fishing economy worth tens of billions of dollars in exchange for a cumulative total of only a half year's supply of oil—a half year's supply of oil—jeopardizing, however, tens of billions of dollars. The people of New Jersey cannot afford the risk that will take place to our wildlife, to our economy and, in fact, I believe, the people up and down the coast as well.

Florida beaches generate billions of dollars each year. In South Carolina, Myrtle Beach alone brought in more than $3 billion in revenue. Do we want oil washing up into the pristine Cape Hatteras National Seashore? What about Virginia Beach? And can Maryland's famous blue crab survive yet another environmental assault?

The bottom line is this proposal will do nothing to lower gas prices, but it will jeopardize coastal economies all along both coasts.

Now to simply say: Well, it is up to an individual State, that doesn't work. The ocean doesn't have neat little boxes which it is divided into. So the reality is that the ability to open the Outer Continental Shelf in one location threatens, if there is an accident, the beaches along the shoreline along that same region. This isn't about making it one versus another; this is a continuity.

There are other things we can do about gas prices. Hopefully the President will soon sign into law the Democratic proposal that passed Congress overwhelmingly to suspend filling the Strategic Petroleum Reserve through December of 2008. When the people of this country are suffering from paying $4 a gallon for gas and when gas prices are pushing up the cost of food, and the price of oil has broken $125 a barrel, it makes no sense to be buying at this high level and then putting that oil in the ground when we are already 97 percent of where we need to be for the Nation's security, burying this precious commodity when we need it the most. Hopefully the President will sign this important measure and we can truly begin to help gas prices go back down and offer some relief.

But it begs even a bigger question, and that is breaking our dependency on foreign oil, seeking renewable sources, and finding new automobiles which we drive in our country; moving on to mass transit, having greater conservation—these are all of the elements that are necessary. It is also about ending speculation in the marketplace. Why is it that when we have testimony before House and Senate committees that says the price of oil should be somewhere between $50 and $70 a barrel between demand and supply that we are looking at $125? Let's go after the speculators. Let's go through a regulatory process that ensures this one market that is so critical ultimately has the regulation necessary.

Finally, we can't drill our way out of oil addiction. We can't drill our way out of oil addiction. We must promote sustainable alternative fuels and incentivize people to buy more efficient cars, raise the fuel economy standards and—something we don't do well in the United States—help commercialize technologies that allow us to run our cars, for example, on electricity. General Motors plans to introduce a plug-in hybrid in 2010 and Nissan announced it will start selling an electric car that same year. Once we get this type of technology right, our constituents will be able to run their cars much more cheaply. Some studies project electricity will be the equivalent of 60 cents per gallon of gasoline. That as a fuel source for the future is just around the corner. We understand that. We want to incentivize it and move it in the right direction.

On the other side, if all you want to do is create more addiction to the oil, find another vein in which to pop into and go ahead and drill even when all that is already open is not being drilled. It is the wrong policy. We have defeated three times in the Senate over the last year or so such provisions. I urge my colleagues to defeat the Vitter motion to instruct and make sure we keep this bipartisan, 26-year moratoria intact.

Mr. President, I yield back the remainder of the time that may be left in opposition, and I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. CONRAD. Madam President, I understand the Kyl motion regarding the alternative minimum tax is already pending, so I ask that my motion on the alternative minimum tax, which is at the desk, also be called up and be made pending.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two houses on the House amendment to the concurrent resolution S. Con. Res. 70 (setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2009 through 2013) be instructed to—

(A) insist that the revenue levels in the resolution include the cost of providing relief from the Alternative Minimum Tax in 2008, so that the number of taxpayers affected by the AMT does not increase and thereby more than 20 million middle-class families would be protected from paying higher taxes;

(B) insist on the Senate position of providing for the extension of expiring and expired tax relief that has been routinely extended in past years, including tax relief such as the research and experimentation tax credit, the deduction for state and local sales taxes, the deduction for classroom expenses, the deduction for qualified education expenses, the incentive for the charitable IRA rollover, the combat pay earned income tax credit, and various energy tax incentives; and

(C) insist that every effort should be made to offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, addressing offshore tax havens, and without raising taxes.

Mr. CONRAD. Mr. President, I ask unanimous consent that the vote sequence with respect to the pending motions be as follows: the Gregg amendment, the Conrad AMT amendment, the Kyl AMT amendment, the Boxer China-India amendment, the DeMint China-India amendment—those are both with respect to energy provisions—the Vitter OCS amendment, the Graham energy nuclear reserve fund, and the Gregg discretionary spending cap, with the remaining provisions of the previous order in effect.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Mr. President, I ask unanimous consent that there be no further motions to be brought forward.

Mr. CONRAD. Mr. President, no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Without objection, it is so ordered.

Is there objection to the request of the Senator from New Hampshire?

Mr. CONRAD. No objection.

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

Mr. CONRAD. Mr. President, I wish now to turn to the Gregg amendment that was previously offered with respect to a $1 trillion cap.

Let me indicate that the spending in the budget resolution that has gone to the conference committee takes spending down as a share of GDP each and every year from 20.8 percent of GDP in 2008 and 2009, every year stepping it down until we get to 19.1 percent of GDP in 2012 and 2013. I might add, we balance the budget in 2012 and 2013 under the budget.

The comparison of the spending under the resolution and the President's budget is depicted by these lines: The green line is the budget resolution spending line; the President's is the red line. You can see almost no difference. That is because there is almost no difference between the spending in the President's budget and the spending in the Senate budget resolution. In fact, here are the differences: The Senate budget resolution has $3.08 trillion of spending over the period of the 5 years. The President has $3.84 trillion of spending over the period.

What are the differences? Let me indicate as a percentage, that is a 1-percent difference—1 percent. Why do we have 1 percent more than the President? Well, because first we rejected his Medicare cuts. That is 45 percent of the difference. Forty-three percent of the difference is we rejected his cuts to law enforcement. We rejected his cut to veterans. We rejected his cuts to transportation. My goodness. We just had a bridge collapse in Minnesota, 35W. Can you imagine the horror? You are driving home and the bridge collapses. We don't think it is wise to be cutting transportation funding when we are not maintaining the roads and bridges we have now, much less dealing with the gridlock that exists around the country as well. So we have rejected those cuts by the President.

We specifically rejected his proposal to cut the COPS program, not by 10 percent and not by 20 percent. The President proposed cutting the COPS program 100 percent. What is the COPS program? That is a program that has put 100,000 police officers on the street in this country. In my State, it has put over 200 officers on the street. I just held a hearing with every part of law enforcement represented: the police chiefs, the sheriffs, the States' attorneys—open testimony. They said it was absolutely beyond their understanding why the President would propose cutting the COPS program 100 percent, but he did.

He proposed cutting weatherization assistance 100 percent. Why would you cut weatherization assistance when that is designed to reduce fuel bills when oil is $120 a barrel? He says cut weatherization assistance 100 percent.

He says cut first responder grants 78 percent. I just held a hearing that involved all of the first responders in my State: The fire chiefs, the police chiefs, and all of the others, including the EMS personnel, emergency medical services. I asked them: Do they think it makes any sense to cut the first responder grants 78 percent? They unanimously said absolutely not. What are we going to do in terms of interoperability of communications if we are not upgrading those systems? One of the things we learned on that fateful day, September 11, was that the failure to have interoperable communications created a fiasco at the Pentagon when all the emergency responders were going there to try to help and they couldn't communicate with each other. That is what these grants are for, to provide interoperable communications, to provide the training to respond to disasters, both natural and manmade. The President says cut it 78 percent. The President said cut community development funds 24 percent. He said cut clean water grants 21 percent. He said cut low-income home energy assistance—the very popular LIHEAP program—which is already underfunded, another 15 percent. We said, no, that doesn't make any sense; yet we produced a budget that balances. It balances in the fourth year—not by much, but it does balance, according to CBO. We stay in balance in the fifth year, unlike the President's budget. The President balanced in the fourth year but went right back out of balance in the fifth.

He has an addiction to debt unlike anything I have ever seen. This President has almost doubled the national debt in just 7 years. He has more than doubled foreign holdings of our debt in that period. We owe the Chinese hundreds of billions, we owe the Japanese hundreds of billions, and we even owe Mexico. This President's legacy is one of debt.

In this budget, we bring down the debt as a share of GDP in each and every year, according to the scoring of the budget resolution, from 69.6 percent down to 66 percent. That is not as much progress as I would like to make.

Senator GREGG and I have a separate proposal to deal with the long-term entitlement problems and those challenges, to deal with that in a bipartisan special task force that would have the power to come back with a recommendation that would get a vote in the Congress of the United States if a supermajority of the members of the task force, who are completely bipartisan, would agree on the plan.

Mr. President, I am proud of this budget resolution. I think this trillion-dollar cap on discretionary spending is a pure political gambit.

Let me add one other thing. If this cap were imposed, part of what is included in that spending is spending on our national defense. So that would put defense under the gun and put it at risk of additional cuts. I am a little surprised that the Republicans are proposing that. I don't think this is the time to be making cuts in national defense, but that would be in the pot and be subject to cuts under their proposal. I hope we reject that approach.

With that, I think we are very close to being ready to go to votes.

I see my colleague, the Senator from Florida, here.

I wonder if the Parliamentarian could advise us on the time remaining

on the Conrad-Kyl AMT amendment and the Gregg $1 trillion cap. How much time is left on those two?

The PRESIDING OFFICER. On the Kyl AMT amendment, Senator KYL has 7 minutes and Senator CONRAD has 16 minutes. On the Conrad AMT amendment, there is 16 minutes remaining, equally divided.

Mr. CONRAD. No, there is not. That is not correct. That was part of a unanimous consent agreement. There was 16 minutes for KYL and CONRAD combined, and all time consumed was credited against that 60 minutes. So there is virtually no time. I think we will just yield back all time on that motion.

Mr. GREGG. Mr. President, I think we will yield back all time on the Kyl-Conrad motion.

Mr. CONRAD. Senator NELSON may want to speak on OCS. How much time is left on that?

The PRESIDING OFFICER. Senator VITTER has 3 minutes. The majority has 7 minutes.

Mr. CONRAD. I am happy to yield 7 minutes to the distinguished Senator from Florida.

Mr. GREGG. I would like to retain 2 minutes to respond to my spending a trillion dollars.

Mr. CONRAD. I will retain 2 minutes on that too. So we each will retain 2 minutes on that amendment and yield back all other time, except for the 7 minutes on OCS.

Mr. GREGG. Mr. President, I ask unanimous consent that 4 minutes be equally divided between Senator CONRAD and myself when we get to the Kyl-Conrad AMT amendment.

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

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, here we go again. The oil companies are trying to have it exactly the way they have had it in the past. They have developed an amendment that is very seductive by saying that you can have offshore drilling with the concurrence of the State if gasoline reaches $5 a gallon. What they have not told you is that if the price of gas goes up to $5 a gallon, of which the oil companies are making money hand over fist, they are going to utilize that to perpetuate the myth that they need to drill off the coast of a State like Florida, when, in fact, what they have not told you is that the oil companies already have under lease, which has not been drilled, 33 million acres offshore. The oil companies also have another 31 million acres onshore that have not been drilled. And the myth that they perpetuate, now using the fright of $5-a-gallon gas, is that we have to have more supply and therefore we have to go offshore. This is the seductive red herring of this amendment which was offered by a Senator whose State, Louisiana, has a big oil industry that drills off of Louisiana, where, in fact, there are deposits of oil. But when you get to a State such as Florida, there have been several dry holes, and the geology shows very little oil, plus we have the adverse interests.

Now, why do we have to keep going through this drill over and over? It is because the oil companies are insatiable. Do we not remember what we did just a year and a half ago, where the oil interests wanted to drill toward Tampa, FL, 2 million acres? We worked out a compromise—which wasn't 2 million acres, it was 8.3 million acres—but we kept it further to the south, away from the military training and testing area, where you cannot put oil rigs on the surface of the water, where we have our largest training and testing area in the world for our U.S. military. That is where we are training pilots for the F–22, where we train all of the pilots for the new Joint Strike Fighter being developed. That is where we are testing some of the most sophisticated weapons. That is because we have the area that is restricted airspace. As you are shooting that live ordnance and you are testing in your research and development of weapons systems, you cannot have oil rigs down there on the surface of the Gulf of Mexico. We etched that into law.

But here we go again. Having gone through this and having the oil industry have 33 million acres that is already available for lease but has not been drilled, they want to make an exception and are using the scare of this $4 gas—maybe going to $5 gas—in order to do that. That is wrong, and we ought to put a stop to it.

Here is the greatest wrong it perpetuates. What it does is it keeps us in the same old mindset where we stay married to oil. The emphasis is drill, drill, drill to solve the problem, as evidenced by $5 gas, when, in fact, that is not going to solve our problem. What is going to solve our problem is using our technology to go to alternative fuels. What is going to solve our problem is to go to renewables. What is going to solve our problem is going to be to have a new President of the United States who says he is going to commit to making the United States independent of foreign oil, of which we now import 60 percent for our daily consumption from places such as Nigeria, Venezuela, and the Persian Gulf.

So what we have to do is change the mindset of the old way of doing things, which this amendment by the Senator from Louisiana is suggestive of; that is, to go to the alternative fuels, to go to a serious research and development program for a new engine on down the line, to encourage the increase of miles per gallon. In Japan, they are driving cars that get 50 miles per gallon. In Europe, they are driving cars, on a fleet average, that are getting in the area of 40 miles per gallon. Why can't the United States—if we had the political will—change our way of doing things as oil guzzlers through our consumption in our personal vehicles? We can if we have the political will.

Mr. VITTER. Will the Senator yield?

Mr. NELSON of Florida. I appreciate the Senator from Louisiana asking me to yield. But I have a lot on my mind, and the Senator has already had his 15 minutes, so this Senator is going to complete his thoughts.

So here we go again. The emphasis is drill, drill, drill.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NELSON of Florida. Well, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized. The Senator has 3 minutes.

Mr. VITTER. Mr. President, if I can briefly respond on my own time—and I invite a conversation or colloquy with the distinguished Senator from Florida—I hope the distinguished Senator realizes that in this proposal, in order for any offshore drilling to take place, both the Governor and the State legislature of the host State have to say, yes, we want it. That is an absolute requirement under this proposal. The distinguished Senator from Florida knows Florida politics far better than I, but based on everything I know, that is not going to happen in Florida, including under Republican Governors and Republican legislatures, anytime soon. So I don't understand why he considers this a threat to the State of Florida, because they are in absolute control of their own destiny under the details of my motion. If the Senator has a response to that simple fact, I would love to hear it and engage in a discussion.

Mr. NELSON of Florida. Mr. President, if the Senator will yield, I am very grateful to him for giving me this opportunity. When it comes to the defense interests of the United States, I think it would be folly to allow a State legislature to impose their will with regard to the defense interests. This Senator has already given the example of the largest testing and training area in the world for the U.S. military, which is the Gulf of Mexico off of Florida, which we have prohibited in law from being drilled.

Let's take, for example, the Atlantic coast of Florida. Thirty years ago, this Senator had to oppose the Secretary of the Interior James Watt from drilling off the east coast. The only way this Senator was able to beat him then was because it finally dawned on the administration that we were launching from the Cape Canaveral Air Force station from west to east and launching from the Kennedy Space Center from west to east, therefore dropping the solid rocket boosters into the Atlantic Ocean along with the first stages of the expendable booster rocket out of the Air Force station, and that, in fact, we cannot have oil rigs down there.

So a State legislature might well not understand and be able to impose its will on the security interests of the U.S. Government.

Mr. VITTER. Mr. President, if I can reclaim my time.

The PRESIDING OFFICER. All time has expired.

Mr. VITTER. I ask unanimous consent for 1 additional minute since I seemed to cede all my time.

The PRESIDING OFFICER. Under the previous order, the time is reserved to the manager. Is there objection?

Mr. CONRAD. I will allow the Senator an additional minute if the Senator in opposition will be given an additional minute as well.

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

Mr. VITTER. I thank the Chair.

Quite honestly, I am not sure I understood that response. My simple point was that Florida under my motion is in control of its own destiny, and if Florida doesn't want drilling, the Governor and the State legislature, Florida doesn't get drilling.

There is a little bit of caveat to that. I think the Cubans are going to drill off Florida if we do nothing. That is moving forward anyway. Or the Chinese through Cuba. But otherwise, Florida doesn't get drilling.

My other response is, here we are caught in a stale debate again. It isn't either/or. It isn't oil and gas or alternative fuels. Our energy picture is so challenging it clearly has to be both. We need a future of new fuels and new technology. We also need to get to that future in the short and medium term. We need to do both things on the demand and the supply side. Let's start acting for the good of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I say to my friend, the Senator from Louisiana, perhaps since he is from the gulf coast, he does not understand that all the way up the Atlantic seaboard, there are areas with restricted airspace where live fire training is done. A State legislature would not necessarily be attuned to the security interests of the U.S. Government.

If a State legislature were at the beck and call of a particular lobby—in this case the oil industry—wanting to drill, it would be at cross-purposes with the security interests in many of those regions off Florida, off Georgia, off the Carolinas, off Virginia, and further up the seaboard and, therefore, would have a veto over the U.S. Government.

The PRESIDING OFFICER. The Senator's time has expired.

Under the previous order, there is now 4 minutes equally divided.

Mr. GREGG. Mr. President, I ask unanimous consent that we turn to two other items that need to be taken up prior to the time limit.

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

MOTIONS TO INSTRUCT

Mr. GREGG. Mr. President, I send two motions to the desk dealing with budget enforcement. I ask they be reported in seriatim.

The PRESIDING OFFICER. The clerk will report the motions.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist on the inclusion in the final conference report the point of order against the consideration of a budget resolution in the Senate that does not contain a section regarding gross federal debt disclosure as contained in section 223 of the concurrent resolution as passed by the Senate, and further, that the conferees be instructed to include a debt disclosure section in the final conference report that itemizes the overall debt increase and the per person debt increase assumed by the final conference report.

The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the final conference report include the individual points of order that empowers the Senate to prevent future budget resolutions from raiding Social Security; enforces transparency during Senate consideration of the congressional budget by requiring disclosure of the gross federal debt held by the nation; strengthens the integrity of the reconciliation process; and provides an additional tool to thwart any net increase in deficits in the long term (four ten-year periods after 2018), as contained in sections 226, 223/224, 202 and 201, respectively, of the concurrent resolution as passed by the Senate.

Mr. GREGG. Mr. President, these are two motions, one of which says that under the rules of the budget, there will be a disclosure of the debt owed by the United States in a manner that is comprehensible.

Right now the budget is a very hard, very complex document to read for those of us who are involved in it, but it is extremely difficult to glean what actually is the debt and how the debt relates to the overall budget. The first motion says that will be made clearer for the purpose of transparency.

The second motion has four elements. The first one is a point of order that says the budget resolution, which will be live, does not put us on a path to a balanced budget over a 5-year period. The second one is a point of order against a reconciliation bill which spends more than 20 percent of what it saves. The third is a point of order against a budget resolution that does not provide a debt disclosure statement, such as the first motion included. And fourth is a long-term deficit point of order that should prohibit any deficit increases outside the budget window.

I talked about these with the chairman. The chairman seems amenable to accepting these motions. I hope they can be accepted.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the first motion I like very much, the debt disclosure. I think that would be a very useful item for Members of Congress and for the people of the country. So I readily accept motion No. 1. Can we accept that motion by a voice vote?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG, on debt disclosure.

The motion was agreed to.

Mr. CONRAD. Mr. President, on the second motion, we have no objection on this side to adopting that motion by unanimous consent.

Mr. GREGG. Mr. President, I ask unanimous consent that the second motion be adopted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The motion was agreed to.

Mr. CONRAD. I thank the Chair, and I thank my colleague very much. I thank Senator GREGG. We have had an interesting day. Senator GREGG, we can see by his head with that nasty bruise, is bloodied but unbowed.

Mr. GREGG. That came from the farm bill.

Mr. CONRAD. He said he got hit by a farmer with a lamb chop or asparagus, I don't know which.

Mr. GREGG. It must have been asparagus.

Mr. CONRAD. I think we are ready to proceed to vote.

Mr. GREGG. We are. I suggest we have 2 minutes equally divided before each vote to explain what we are voting on for our colleagues.

Mr. CONRAD. I think that is fair.

Mr. GREGG. And after the first vote, the votes be 10 minutes.

Mr. CONRAD. I think we would be well advised as well. We advise colleagues, after the first vote, there will be 10 minutes. We will have eight votes. Typically, that will take us 3 hours. If Members will come and stay here, we can conceivably get done in 2½ hours. It is up to the Members whether we are able to do that.

With that, I go to my colleague for an explanation of the first motion.

Mr. GREGG. Mr. President, it being my motion, I am sure the chairman would like to go first.

Mr. CONRAD. I will be happy to go first. The Senator is talking about this being the biggest tax increase in history. That is the same speech he gave last year. We can now check the record and see what actually happened and, lo and behold, there was not the biggest tax increase ever. In fact, there was no tax increase. In fact, there were tax cuts. The Democrats in both Houses of Congress cut taxes by $194 billion.

In this legislation before us, we have no tax increases. We have additional tax reductions. Included in this resolution are the middle-class tax cuts, the marriage penalty relief, the child tax credit, the 10-percent bracket, further alternative minimum tax relief, estate tax reform, energy and education, property tax relief, and extenders.

The difference in revenue, which is only 2.6 percent between our bill and the President's, can completely be met by closing down these offshore tax havens, abusive tax shelters, and aggressively going after the tax gap, the difference between what some owe and what they are failing to pay.

Mr. GREGG. Mr. President, there is a tax increase in this resolution. If there

isn't, then the budget doesn't make any sense because it assumes $1.2 trillion of new revenues in order to reach its targets, and that means 78 million taxpayers who don't pay taxes today are going to end up paying taxes under this budget.

It means a working family of four with $50,000 income will end up with a $2,300 tax bill increase in 2011. It means a single mom with two kids earning $30,000 will have a $1,000 tax increase in 2011. It means that 18 million senior citizens will have their taxes increased by over $2,000, and that 27 million small businesses will have their taxes increased by over $4,000 in the year 2011.

The simple fact is this budget assumes massive tax increases, the largest tax increase in the history of the world. I hope people will oppose that.

The PRESIDING OFFICER. Under the previous order, the question is now on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''aye.''

The PRESIDING OFFICER. (Mr. NELSON of Florida). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 44, nays 51, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—44

Allard	DeMint	Martinez
Barrasso	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Chambliss	Gregg	Specter
Coburn	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Thune
Collins	Inhofe	Vitter
Cornyn	Isakson	Warner
Craig	Kyl	Wicker
Crapo	Lugar	

NAYS—51

Akaka	Carper	Johnson
Baucus	Casey	Kennedy
Bayh	Conrad	Kerry
Biden	Dodd	Klobuchar
Bingaman	Dorgan	Kohl
Boxer	Durbin	Landrieu
Brown	Feingold	Lautenberg
Byrd	Feinstein	Leahy
Cantwell	Harkin	Levin
Cardin	Inouye	Lieberman
Lincoln	Pryor	Snowe
McCaskill	Reed	Stabenow
Menendez	Reid	Tester
Mikulski	Rockefeller	Voinovich
Murray	Salazar	Webb
Nelson (FL)	Sanders	Whitehouse
Nelson (NE)	Schumer	Wyden

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

The PRESIDING OFFICER. The Senator from North Dakota is about to explain what is going to happen in the next few minutes.

Mr. CONRAD. Mr. President, two of our colleagues and a third, counting me, have very graciously agreed to take voice votes to shorten this process. Now we will turn to Senator KYL for an explanation of his motion.

Mr. KYL. Both the chairman of the committee and I have resolutions that are almost identical. They both call for us to extend the so-called patch for the alternative minimum tax which otherwise would affect about 26 million taxpayers this year; to extend the so-called tax extenders package that has tax provisions like the R&D tax credit in it for another year, and to do so without raising taxes.

The addition on the Conrad motion is to use our best efforts to shut down abusive tax shelters, address offshore tax havens, and to close the tax gap.

Since I assume we are all for ending any waste, fraud, and abuse, I cannot disagree. I would be pleased to take votes on both of these motions by voice vote.

Mr. CONRAD. Mr. President, I thank Senator KYL for his willingness to do this on a voice vote. He has described the amendments well. I see no purpose in further discussion.

I ask for a voice vote on the Conrad and Kyl motions.

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from Arizona, Mr. KYL, on the AMT.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from North Dakota, Mr. CONRAD, on the AMT.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the distinguished Senator from South Carolina, Mr. GRAHAM, has a motion on nuclear energy. The Senator from South Carolina has also graciously agreed to take it on a voice vote.

Would the Senator like to take 30 seconds to explain the motion?

Mr. GRAHAM. No.

Mr. CONRAD. The Senator from South Carolina continues to rise in the judgment of his colleagues.

Can we then go to a voice vote on the Graham motion?

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from South Carolina, Mr. GRAHAM, on nuclear energy.

The motion was agreed to.

Mr. CONRAD. Mr. President, that takes us to the Boxer motion on cap and trade. We have 2 minutes equally divided. These are motions that will require votes, the Boxer and DeMint motions.

If the Senator from California would take time to explain her motion.

Mrs. BOXER. Mr. President, colleagues, I hope you pay attention to this because there are two motions that deal with global warming. The first one is the Boxer motion, and what it says is, we should not enact any global warming legislation until we address the issue of goods imported from nations such as India and China, countries that do not have their own global warming program. So we protect our people and yet we allow global warming legislation to proceed.

Senator DEMINT's motion is a back-to-the-future motion. He basically says we can do nothing—nothing—until India and China act. This is wrong. We should not be held hostage to the actions of China and India or any other nation when it comes to our own country, when it comes to an issue which is so serious that even the administration, that has been kind of dragging on this, yesterday found that global warming is threatening a beautiful species called the polar bear.

We do not want to be held hostage to India and China. Vote aye on the Boxer motion, and no on the DeMint motion.

Thank you.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, my motion has been mischaracterized, I am afraid. I am opposed to the Boxer motion because it would clearly, from the language, add tariffs or some kind of penalties to imports from around the world, unless emissions standards in other countries match ours, I guess, exactly.

This would add to the cost of products that are purchased by Americans. My motion is one that tries to keep jobs in this country. Unfortunately, my colleague is suggesting, I am afraid, as many have over the years, that we have two false choices. We either have a good economy or we have a good environment. Those are not the choices.

In fact, my motion would allow us to continue to develop nuclear generation, which is good for the environment and the economy, or hydrogen cars or electric cars or hybrid cars. Most of what we can do is good for the environment and improves the economy. My motion simply says: We cannot pass legislation unless other countries go along, otherwise we are exporting jobs and pollution.

The PRESIDING OFFICER. The question is agreeing to the motion of the Senator from California, Mrs. BOXER.

Mr. CONRAD. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

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

The result was announced—yeas 55, nays 40, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—55

Akaka	Feingold	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Harkin	Reed
Biden	Inouye	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Smith
Cardin	Lautenberg	Snowe
Carper	Leahy	Specter
Casey	Levin	Stabenow
Coleman	Lieberman	Tester
Collins	Lincoln	Warner
Conrad	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dole	Menendez	Wyden
Dorgan	Mikulski	
Durbin	Murray	

NAYS—40

Allard	Domenici	McConnell
Barrasso	Ensign	Murkowski
Bennett	Enzi	Pryor
Bond	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Cornyn	Isakson	Voinovich
Craig	Johnson	Wicker
Crapo	Kyl	
DeMint	Lugar	

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was agreed to.

Mrs. BOXER. I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on the motion to instruct offered by the Senator from South Carolina, Mr. DEMINT.

Mr. DEMINT. Mr. President, during the last vote, some of my Republican and Democratic colleagues asked me if it didn't make sense to vote for both these motions. Both understand we need to be careful in mandates that hurt our economy and jobs, unless we recognize what other countries are doing when they are polluting.

My motion focuses on here at home. I want to make sure folks understand what it is about.

Most of the things we can do to improve our environment and to stop CO_2 emissions can actually improve our economy. We know, as we try to build dozens, if not hundreds, of nuclear plants, it will create new jobs all over the country and improve our economy, just as Europe has done. Solar panels and wind, as well as hybrid cars and hydrogen fuel—all of these things are good for the economy and energy. My motion—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DEMINT. Could I get another minute?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DEMINT. I thank the Chair.

My motion does not affect any of the attempts to reduce CO_2 emissions except when we know it is hurting the economy and hurting jobs. In that case, we cannot move ahead with penalties and mandates unless China and India—the two largest polluting countries—have similar emissions standards. So it is just a ''hold on,'' let's not hurt our economy and ourselves. There are many ways we can reduce CO_2 emissions without hurting jobs in this country.

I encourage my colleagues to support this motion.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, how much additional time did Senator DEMINT get?

The PRESIDING OFFICER. The Senator had an additional ½ minute.

Mrs. BOXER. Then, Mr. President, I would ask for the same amount of time, equally divided, between myself and Senator WARNER.

The PRESIDING OFFICER. What is the request of the Senator?

Mrs. BOXER. Mr. President, I ask unanimous consent that I have the same amount of time Senator DEMINT had, divided equally between myself and Senator WARNER.

The PRESIDING OFFICER. Is there objection to 1 minute being equally divided between Senator BOXER and Senator WARNER?

Without objection, it is so ordered.

Mrs. BOXER. If the Presiding Officer will tell me when I have used half the time so I can stop.

Colleagues, this is a very important vote. We already voted to level the playing field for America in that last vote so that countries cannot take advantage of us. But I have to say, this motion would hold this Nation hostage to China and India. Since when do we wait around for countries such as China to act on human rights issues, on economic issues, on environmental issues? That is not America.

I believe this is a motion that looks to fear, not hope. This is the greatest country on Earth, and I do not think we should tell ourselves we can do nothing about a pressing issue until a foreign country acts.

The PRESIDING OFFICER. The Senator has used half the time.

The Senator from Virginia.

Mr. WARNER. Mr. President, I have been working with Senator BOXER and Senator LIEBERMAN for almost 10 months on a bill with regard to global climate change. This week—perhaps tomorrow or the first of next week—we will offer a managers' amendment which will address the important issues my colleague raises.

I simply ask this Chamber to consider that when our bill comes up there will be ample opportunity to address your issues and that we have a provision in the managers' amendment giving the President of the United States the chance to proceed to correct the very things the Senator seeks to be corrected with his motion.

The PRESIDING OFFICER. The Senator's time has expired.

The question is on agreeing to the motion of the Senator from South Carolina, Mr. DEMINT.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''nay.''

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

The result was announced—yeas 34, nays 61, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—34

Allard	Craig	Kyl
Barrasso	Crapo	Lugar
Bennett	DeMint	McConnell
Bond	Domenici	Sessions
Brownback	Ensign	Shelby
Bunning	Enzi	Stevens
Burr	Grassley	Thune
Byrd	Hagel	Vitter
Chambliss	Hatch	Voinovich
Coburn	Hutchison	Wicker
Cochran	Inhofe	
Cornyn	Isakson	

NAYS—61

Akaka	Dole	Lautenberg
Baucus	Dorgan	Leahy
Bayh	Durbin	Levin
Biden	Feingold	Lieberman
Bingaman	Feinstein	Lincoln
Boxer	Graham	Martinez
Brown	Gregg	McCaskill
Cantwell	Harkin	Menendez
Cardin	Inouye	Mikulski
Carper	Johnson	Murkowski
Casey	Kennedy	Murray
Coleman	Kerry	Nelson (FL)
Collins	Klobuchar	Nelson (NE)
Conrad	Kohl	Pryor
Dodd	Landrieu	Reed

Reid	Smith	Warner
Roberts	Snowe	Webb
Rockefeller	Specter	Whitehouse
Salazar	Stabenow	Wyden
Sanders	Sununu	
Schumer	Tester	

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. CONRAD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to the vote on the motion to instruct by the Senator from Louisiana.

Who yields time?

The Senator from Louisiana.

Mr. VITTER. Mr. President, this motion is very straightforward. It creates a reserve fund in support of the following bill, a bill that would say: If the price at the pump, the price of gasoline reaches $5 a gallon—if it reaches $5 a gallon—then we are going to allow exploration and production off our coasts in the Outer Continental Shelf, but only if two conditions are met. No. 1, the host State wants it; the Governor and the State legislature of the host State say yes, we want that activity; and No. 2, the host State gets a fair revenue share of 37.5 percent which is the policy and the precedent we set about 2 years ago.

It would also ensure that nothing in this bill would disrupt military training, military activity off the coast, and that also a host State could decide to do natural gas only.

We can't drill our way out of this energy problem, but increased domestic supply is part of the solution. We need a new energy future, but we also need to get to that future.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, what the Senator didn't say is that this puts a State's veto power over the U.S. Government as to its security arrangements in restricted areas off the coast which you never want to put at stake.

What the Senator also didn't tell you is there are already 31 million acres offshore that are ready for lease that have not been drilled.

I yield to the Senator from New Jersey.

Mr. MENENDEZ. Mr. President, the Senate has on three different occasions over the last year defeated similar efforts to end the 26-year bipartisan moratoria on the Outer Continental Shelf. This is another attempt to get at it. Even the Energy Information Administration projects that if we opened the entire east and west coasts, we wouldn't achieve anything because it would take up to 2017 to ramp up and 2030 to actually achieve results.

So this isn't about gas prices; this is about tapping into another vein of oil, continuing our addiction, and putting our shores at risk.

I urge my colleagues, particularly from coastal States, to oppose it.

Mr. STEVENS. Mr. President, I ask unanimous consent to be a cosponsor of the motion.

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

Mr. WARNER. Mr. President, I ask unanimous consent to be a cosponsor of the amendment.

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

All time has expired.

The question is on agreeing to the motion of the Senator from Louisiana, Mr. VITTER.

Mr. GREGG. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

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

The result was announced—yeas 44, nays 51, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—44

Allard	Domenici	Murkowski
Barrasso	Ensign	Nelson (NE)
Bennett	Enzi	Roberts
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Specter
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Coleman	Isakson	Voinovich
Cornyn	Kyl	Warner
Craig	Landrieu	Webb
Crapo	Lugar	Wicker
DeMint	McConnell	

NAYS—51

Akaka	Durbin	Menendez
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murray
Biden	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reed
Brown	Kennedy	Reid
Byrd	Kerry	Rockefeller
Cantwell	Klobuchar	Salazar
Cardin	Kohl	Sanders
Carper	Lautenberg	Schumer
Casey	Leahy	Smith
Collins	Levin	Snowe
Conrad	Lieberman	Stabenow
Dodd	Lincoln	Tester
Dole	Martinez	Whitehouse
Dorgan	McCaskill	Wyden

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, for all Senators, I have been talking this afternoon with Senators KENNEDY, ENZI, GREGG, and MCCONNELL, of course. We believe it would be in the best interests of the Senate to vitiate the cloture vote in the morning. Senator KENNEDY and ENZI have agreed to continue working on the firefighters bill. Yesterday, it was interrupted by the farm bill, and the Graham amendment was an interruption.

As I have said on a number of occasions, there is not more of a gentleman in the Senate than MIKE ENZI. He felt aggrieved—that is my word, not his—and he needs more time on this. Again, I have talked to him and Senator KENNEDY. They believe they can get from here to there and work out something so that we can wind up completing the bill.

I have asked the managers to work together to see if they can reach agreement on the process that will permit the Senate to complete action on the bill in a timely way.

Therefore, I ask unanimous consent that the cloture vote be withdrawn with respect to H.R. 980.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, let me further say that when these two good Senators come back to me with that process, I will confer with the Republican leader, and then I will make a decision when to return to this. I favor this a lot. I think it is a great piece of legislation. I hope we can complete it.

We should continue the bipartisan approach we have had up to this time on that legislation. I appreciate the understanding of the Senate in allowing us to approach this in a different way. This is not unique. We have done it on other occasions. For a lot of reasons, cloture would not be invoked tomorrow. I think people favor this legislation and they would vote for cloture if there is more of an opportunity to work on amendments. I appreciate the cooperation of everybody.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, if I may add, I think the majority leader has made a wise decision, after consultation with both sides. Cloture would not have been invoked tomorrow. Senators KENNEDY and ENZI can work out an orderly process. I think it is an approach that I applaud and recommend.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I wish to personally thank the two leaders and Senator ENZI. This is important legislation involving national security. I am grateful for the opportunity to work with my friend and colleague, Senator ENZI, to try to make recommendations here in the Senate. I

know there are diverse views on this issue. We will try to work out an orderly procedure so that Members will be able to get their views out and considered in the Senate and do it in a timely way.

Again, I thank the two leaders and the Senator from Wyoming as well for his cooperation, as always.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 28

Mr. REID. Mr. President, I ask unanimous consent that, upon disposition of the House message on S. Con. Res. 70, the Senate proceed to the consideration of Calendar No. 731, S.J. Res. 28, a joint resolution disapproving the rule submitted by the FCC with respect to broadcast media ownership, the statutory time be reduced to 2 minutes equally divided and controlled between Senators DORGAN and STEVENS or their designees; that upon the use or yielding back of the time, the Senate proceed to vote on passage of the joint resolution; provided further that all remaining provisions of the statute remain in effect. I further ask that all statements relating to the matter be printed in the RECORD prior to the vote on this important piece of legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Finally, as I understand, we have one more rollcall vote we are going to have now. There will be no votes tomorrow. This will be the last vote until Tuesday morning, unless someone has an objection.

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to vote on a motion offered by the Senator from New Hampshire, Mr. GREGG, on discretionary spending.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, under the budget resolution, spending goes down each and every year as a share of domestic product, 20.8 percent down to 19.1 percent

The Senator opposite seeks to make those reductions more steep and embrace the President's proposal which would eliminate the COPS Program—not just cut it but eliminate it, a program that puts 100,000 police on the street—cut the Weatherization Assistance Program 100 percent at a time of $120 oil; cut the first responder grants—police, fire, emergency medical 78 percent; cut community development 24 percent; cut clean water 21 percent; cut LIHEAP 15 percent.

More than that, because of the way this amendment has been written, this would put defense in the pool to be cut. If you want to do that, vote for the Senator's motion. I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I have no charts. I simply have a number: $1 trillion. We should draw the line somewhere around here. We should say to the American people: It is time that we exercise fiscal discipline. Let's do it at $1 trillion. That means that in this budget, you only have to reduce it 1 percent to get back underneath that number.

We don't have to look to the President to do that. We can't, amongst ourselves, come up with $10 billion of savings on a $1 trillion budget? If we can't, we should all go home.

Vote to draw the line at $1 trillion. Vote for the American taxpayer.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG.

Mr. GREGG. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

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

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—47

Allard	DeMint	Lugar
Barrasso	Dole	Martinez
Bayh	Domenici	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Roberts
Brownback	Feingold	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Cantwell	Gregg	Stevens
Chambliss	Hagel	Sununu
Coburn	Hatch	Thune
Cochran	Hutchison	Vitter
Coleman	Inhofe	Voinovich
Cornyn	Isakson	Warner
Craig	Klobuchar	Wicker
Crapo	Kyl	

NAYS—48

Akaka	Harkin	Nelson (FL)
Baucus	Inouye	Nelson (NE)
Biden	Johnson	Pryor
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Kohl	Rockefeller
Byrd	Landrieu	Salazar
Cardin	Lautenberg	Sanders
Carper	Leahy	Schumer
Casey	Levin	Snowe
Collins	Lieberman	Specter
Conrad	Lincoln	Stabenow
Dodd	McCaskill	Tester
Dorgan	Menendez	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murray	Wyden

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

Mr. CONRAD. Mr. President, I move to reconsider the vote.

Mr. BAUCUS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Chair appoints. Mr. CONRAD, Mrs. MURRAY, Mr. WYDEN, Mr. GREGG, and Mr. DOMENICI conferees on the part of the Senate.

DISAPPROVAL OF FCC OWNERSHIP RULE SUBMITTAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S.J. Res. 28, which the clerk will report.

The legislative clerk read as follows:

A resolution (S.J. Res. 28) disapproving the rules submitted by the Federal Communications Commission with respect to broadcast media donorship.

The PRESIDING OFFICER. There is 2 minutes equally divided. The Senator from North Dakota is recognized.

Mr. DORGAN. This is a resolution of disapproval of an FCC rule dealing with media ownership. The Commerce Committee has passed this out to the floor of the Senate. I will not go into great length on the merits of the issue except to say we have visited this issue previously. I think there is too much concentration in the media. The FCC rule moves in exactly the wrong direction, adding more concentration.

I ask that Members of the Senate who wish to would be able to make statements that appear prior to this vote. I believe we have agreed to a voice vote.

I yield the floor. I reserve my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. I yield to the Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I know we are going to have a voice vote. I ask unanimous consent I be recorded as a ''no.''

The PRESIDING OFFICER. The record will so reflect.

Mr. ISAKSON. Mr. President, I wish the record also to reflect I voted ''no'' on S.J. Res. 28.

Mr. STEVENS. I ask unanimous consent statements in opposition to the resolution of the Senator from North Dakota be printed in the RECORD at this point.

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

CROSS OWNERSHIP RULE

Mr. WEBB. Mr. President, I rise today to thank my colleague from North Dakota for his work on media ownership issues and to engage him in a colloquy to clarify one point about the resolution of disapproval. I note that Senator DORGAN has long been a champion of media localism and diversity, issues that are quite important to me as well.

Because I believe that the Federal Communications Commission ignored Congress's repeated admonitions about following appropriate processes in reaching the agency's new cross-ownership rules, I support this bipartisan resolution.

Yet I believe that if the Senate adopts this resolution, the existing waivers contemplated under the FCC cross-ownership rule should be protected. This means that those waivers would not be a part of this resolution.

I have significant concerns that if these waivers are not protected, this legislation could harm some media markets and constituents' access to news and information in my State of Virginia.

I would like to confirm that this resolution, while it would nullify the revised version of the FCC's newspaper cross-ownership ban, would not undo or in any manner change the FCC's decision to grant permanent waivers to five existing newspaper-broadcast combinations, and thus grandfather them, as set forth in paragraphs 77 and 158 of the FCC's December 18, 2007 Report and Order. It is my understanding that this resolution will not affect these five specific waivers, and I would like to clarify this understanding

Senator DORGAN, is it your goal and understanding that the waivers that the FCC granted in conjunction with the cross-ownership rule be protected?

Mr. DORGAN. Under the Congressional Review Act, the resolution of disapproval is intended to overturn a specific rule, not other parts of an agency's order. The waivers are not rules.

The resolution is written in a specific way referring to an order, but it is the rule that is nullified. These waivers could have been granted alone or under the previous cross-ownership ban. It is not the intention of this resolution to affect the waivers in the order.

Ms. SNOWE. Mr. President, I rise today in strong support of the resolution of disapproval that repeals the recent Federal Communications Commission's media ownership rulemaking.

As an original cosponsor of this measure, I applaud Senator DORGAN for once again taking the lead in introducing critical legislation to overturn a misguided attempt by the commission to relax crucial media ownership rules—a move that will only lead to further consolidation within the industry that will ultimately harm consumers.

As my colleagues are well aware, consolidation in the media market has led to fewer locally owned stations, and less local programming and content. Indeed, it speaks volumes that the number of independent radio owners has plunged in the past 11 years by 39 percent.

Just in 1996 and 1997 alone, more than 4,400 radio stations were sold following the first round of consolidation following passage of The Telecommunications Act of 1996. Between 1995 and 2003, ownership of the top 10 largest television stations increased from 104 owners to 299 owners.

At the same time, we know that locally owned stations aired more local news and programming than non-locally owned stations—and that is not just me talking. That is according to the FCC's own studies, which also found that smaller station groups overall tended to produce higher quality newscasts compared to stations owned by larger companies.

So there should be no mistake—fewer independent, local stations mean less local content and programming.

Minority and women-ownership of media outlets are also at perilously low levels—currently only 6 percent of full-power commercial broadcast radio stations are owned by women and 7.7 percent are owned by minorities. Ownership of broadcast television is even lower—5 percent for women and only 3.3 percent for minorities. Instead of being a catalyst promoting localism and ownership diversity, the FCC's action will actually hasten the decline in these crucial areas.

The Senate Committee on Commerce, Science, and Transportation last fall held a hearing to consider these very issues, and the actions required for improvement. During that hearing, I and several of my colleagues voiced strong concern about Chairman Martin's intent to ease current media ownership rules, particularly because of the potential impact on localism and diversity in broadcasting.

That is why I, along with many committee members, joined Senators DORGAN and LOTT in introducing The Media Ownership Act of 2007, which was reported out of the committee favorably in December. This constitutes yet another step in the mounting opposition to the loosening of these crucial rules. We had hoped that Chairman Martin would heed not only our urgings, but the concerns expressed by the American public, and complete the 4-year-old rulemaking on localism.

However, on November 13, less than a week after that hearing, the Chairman issued a new proposal to lift the 32-year-old newspaper-broadcast cross-ownership ban in the top 20 media markets. Worse still, the FCC allowed only 28 days for the public to comment on the proposal when it has historically provided 60 to 90 days on pivotal matters such as this.

Clearly, the FCC's actions demonstrate a litany of highly-misguided priorities that neglect to consider the full impact of the FCC's rule change on the American people. Therefore, this resolution of disapproval is necessary to rescind this haphazard approach.

I must say it feels a little like déjà vu all over again, when nearly 5 years ago the FCC attempted a similar effort to relax another set of media ownership rules. And fittingly, the opposition to the commission's attempt then mirrors the opposition that is coalescing now. And the action we are considering now is reminiscent of the joint resolution passed by the U.S. Senate in September 2003, which I cosponsored, condemning the Commission's efforts to rewrite those rules.

So that naturally begs the question—why would the commission continue to attempt to weaken media ownership rules when the American public has vociferously opposed these efforts time and again? When the U.S. Congress in 2004 enacted a statute prohibiting the FCC from raising national ownership limits above 39 percent? When the Third Circuit Court of Appeals rejected as arbitrary and capricious this attempt at revising the rules after finding the FCC had no factual basis for the limits it set? We deserve an answer.

Many proponents for relaxing media ownership rules have pointed to the precipitous decline of the newspaper industry as the reason change is mandatory. They have even cited a recent report by the Newspaper Association of America, NAA, which found print ad revenue for the industry fell by 9.4 percent last year—the biggest decline since it started keeping records in 1950.

However, what these proponents are neglecting to mention is that the NAA also found that online newspaper advertising revenue increased 19 percent last year.

Furthermore the NAA president and CEO John Sturm stated ''newspaper publishers are continuing to drive strong revenue growth from their increasingly robust Web platforms.'' This hardly sounds like an industry in irreversible peril if this longstanding rule remains in place.

Opponents of this resolution will also argue that the FCC crafted a very narrow revision, lifting the cross-ownership ban for only the top 20 media markets, so this resolution is unnecessary. However, the FCC also adopted ''four factors'' and two broad ''special circumstances'' that would allow this ban to be lifted for a station in any media market.

These scenarios and factors include evaluating financial condition, possible increased local news, as well as existing market media concentration, and news independency. Given the vagueness and loopholes that exist with the rulemaking, the ''high hurdle'' that the Commission has supposedly set for proposed combinations could be easily cleared by using only a stepladder.

Preventing further media consolidation has been a bipartisan effort, and the resolution before us today is no different. We must not allow the indispensable role the media plays in promoting diversity and localism to be further marginalized and miniaturized by unchecked consolidation within the industry.

We owe it to the American people to restore confidence in the FCC's commitment not only to uphold the public interest but to advance it and strengthen it. That is why it is undeniably incumbent upon the commission members to revisit these rules and establish a set of standards that will effectively promote localism and minority and women-ownership, not more media consolidation. I urge my colleagues to support this resolution.

Mr. MENENDEZ. Mr. President, today we are considering a critical

piece of legislation. The resolution of disapproval is critical to the diversity of our media and I would like to thank Senator DORGAN for his leadership on the issue. In December, the FCC pushed through new media ownership rules on a partisan three to two vote. The proposal strips newspaper-broadcast cross-ownership rules that have protected diversity for 32 years in the top 20 markets.

This proposal has been described by the chairman as a modest rules change. That since it is restricted to the top 20 markets, and since it only applies to television stations not in the top 4 in ratings in those markets, its some sort of compromise. The reality is that is simply not true.

To begin with, 44 percent of Americans live in the top 20 markets. This includes my State of New Jersey, which is split by two of the largest markets in the country. And there are a number of loopholes in the rule. Companies looking to consolidate either outside the top 20 markets or to purchase one of the 4 largest stations need only be granted a waiver from the FCC.

The standards for granting these waivers are vague at best. Here is an example: one of the standards a company must show in order for a waiver to be granted is whether the broadcast station has enough editorial independence. How does anybody quantify that?

The fact is there is no way to objectively judge the parameters Chairman Martin's rule requires to grant the waivers. This means that depending on who is running the FCC, a waiver can be granted in any market or for any station. As Commissioner Adelstein put it so appropriately, this proposal is nothing more than a wolf in sheep's clothing.

While the FCC devotes its resources to opening up more loopholes for consolidation, the commission has done virtually nothing to address the issue of minority ownership. The reality of diversity in our Nation's broadcast ownership is a far cry from the reality in which we live.

Despite making up 35 percent of the population and owning roughly 18 percent of all nonfarm businesses, minorities currently own only 3 percent of all broadcast TV stations.

It is in the best interests of our democracy that media ownership reflect the wealth of this Nation's diversity. As a public trustee of the broadcast spectrum, it is the responsibility of the FCC to advocate on behalf of women and minorities.

Yet this Commission under President Bush has failed in this pursuit. In fact, the FCC has so mishandled the issue, nobody even uses their statistics on minority ownership anymore. The best estimates we have on minority ownership have to come from outside groups because the FCC simply doesn't have accurate reporting numbers.

In 2000, the FCC released five studies conducted to help the commission comply with its own regulations that require the elimination of market-entry barriers for small business. These studies largely found that media consolidation negatively impacted minority ownership, and noted that minority owners face historic barriers to accessing capital from lending institutions to purchase broadcast outlets. But rather than act on these studies to address the underlying problems, the FCC took 4 years to even issue a notice for public comment.

So today we have a chance to overturn a misguided decision by the FCC. And we have a chance to tell the Commission that rather than spend their time on finding loopholes for major media corporations to buy up more outlets throughout our country, the FCC should be working to its charge as the trustee for America's airwaves.

Mr. INOUYE. Mr. President, I rise today in support of S.J. Res. 28, a joint resolution disapproving the Federal Communications Commission, FCC, rule relaxing newspaper-broadcast media cross-ownership.

Like many of my colleagues, I am deeply troubled by the FCC's rulemaking that would allow greater consolidation of our media. The media is a tremendous force in our society. It can inform, educate, and entertain, as well as nourish our democratic dialogue. Unfortunately, the media also has less savory powers.

In recent years, we have seen an increase in coarse and violent programming, coupled with a decrease in local news and hardhitting journalism. To say these trends are not in the best interest of the American people, and especially our youngest citizens, is clearly an understatement.

In addition, as corporate ownership over our media grows more concentrated, we see less and less of the diversity of our Nation. When programming is the same from coast to coast, our airwaves will no longer reflect the rich mosaic of our country and our citizens. Such a landscape should prompt the FCC to act with an overabundance of caution, but it has not.

Five years ago, the FCC substantially relaxed the rules that govern media ownership in this country. Millions of Americans contacted the FCC to complain. The U.S. Senate voted to support a ''resolution of disapproval'' in response to the FCC's decision. Next, the courts got involved, and the Third Circuit Court of Appeals shipped the agency's handiwork right back to the FCC.

In 2006, the FCC began a new rulemaking, and in November of 2007, the Commerce Committee held a hearing to discuss the effects of consolidation on localism and diversity in news and entertainment.

Over the following month, the Senate made clear to the Commission that it had serious concerns about the FCC's process and its apparent rush to issue a new rule. But on December 18, 2007, over the objections of Commissioners Michael Copps and Jonathan Adelstein, the FCC approved a relaxed set of ownership rules under which newspaper-broadcast cross-ownership is permissible in the top 20 markets.

I commend Senator DORGAN for introducing S.J. Res. 28, a joint resolution disapproving the FCC rule. I am pleased to join him as a cosponsor of this resolution. I hope that my colleagues will join me in supporting S.J. Res. 28.

Together we can send a strong and united message that media diversity is clearly in the national interest and that the U.S. Senate will defend that interest with all the tools at its disposal.

Ms. MURKOWSKI. Mr. President, I ask that I be recorded as voting no on S.J. Res. 28, a resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

Mr. DODD. Mr. President, I rise in strong support of the resolution of disapproval of the Federal Communications Commission, FCC, recently issued rules on media cross-ownership. I want to commend my colleague from North Dakota for his leadership on this most important of issues. This resolution will nullify the ill-considered and hastily-passed rules pushed through by the FCC in December of last year.

Over the last several years, the effects of media consolidation have become extremely clear to the American people: Less local control and community-oriented programming; less independently produced programming; fewer divergent views and opinions; fewer minority-owned broadcast stations.

And now, the FCC has green-lighted further media concentration by voting to overturn a 32-year-old rule prohibiting the cross-ownership of newspapers and broadcast stations—a rule that could impact markets in which nearly half of the American public lives and works.

Put simply, the FCC rule change would harm local and independent owners and help big media owners. In particular, the change further disadvantages minority media owners. While such owners control a mere 3 percent of the Nation's commercial TV stations, as many as 90 percent of minority media owners would be subject to these new rules. Further consolidation will simply reduce the number of opportunities for minorities to enter the market while putting those already in the market more at risk of being forced out by larger media conglomerates.

The FCC argues that this rule is necessary to ''save'' the newspaper industry. But as an internal FCC study showed, despite all the stories we are hearing about newspaper cutbacks, publicly traded newspapers earn 16 to 18 percent annual rates of return. An internal FCC memo found the industry as a whole to be profitable. That is to say nothing of the fact that the FCC has given no compelling reason for it to be in the newspaper business in the

first place. The FCC regulates the broadcast airwaves—and it should remain that way.

Perhaps most disturbing is the way the FCC went about implementing this radical new rule. First, it completely ignored Congress's bipartisan bill, the Media Ownership Act, of which I am a proud cosponsor. Then it ignored the public. Indeed, the Chairman's proposed rule changes were first made public in an op-ed he published in the New York Times outlining the changes for the first time—which might have been helpful had the public comment period not already closed the day his column appeared.

Public comments are not merely a formality, Mr. President—they are a vital piece of the rulemaking process and an integral part of responsive, open government. Five years ago, more than 3 million Americans spoke out when the FCC voted without any public input whatsoever to allow a single company to own up to three television stations, a local newspaper, a cable system, and as many as eight radio stations in a single media market. In large part because of the public outcry, the courts overturned the rules.

Mr. President, it isn't more consolidation and homogenization the American people want from their media—it is less. No one can seriously argue that the consolidation of the media in recent years has been a good development for the fourth estate. As coverage has become increasingly superficial, people wonder more than ever about the quality of the information they are receiving from the media. And quite frankly, I do not blame them.

Must we act to ensure the strength and vitality of the American media in the 21st century? Absolutely. But that should be accomplished within an open and transparent framework as prescribed in the Media Ownership Act—a process that gives the public a voice in this fight. As the Senator from North Dakota has said, ''Localism and diversity of media ownership is vital in a democracy.''

Indeed it is, Mr. President. It is time to tell the FCC that this is no way to maintain a free, open and diverse media, and I urge all my colleagues to support this resolution of disapproval.

Mr. STEVENS. I yield the remainder of my time.

Mr. DORGAN. I ask the Senator from Washington to use the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise, obviously, to encourage my colleagues here. This is an issue we dealt with before. While media consolidation might be good for Wall Street, it is not good for Main Street. The diversity of voices has been a key component to our society, and preserving them by making sure we don't have a consolidation of media is very important.

I urge my colleagues to disapprove of the FCC rule on media consolidation.

The PRESIDING OFFICER. All time has expired.

The question is on the passage of the joint resolution.

The joint resolution (S.J. Res. 28) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 28

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to broadcast media ownership (Report and Order FCC 07–216), received by Congress on February 22, 2008, and such rule shall have no force or effect.

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

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate now be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The Senator from Washington.

MEDIA DIVERSITY

Ms. CANTWELL. Mr. President, for those who may not have observed that voice vote, it was a very positive result for the voices of America supporting diversity. I want to spend a few minutes talking about this issue, to make sure we give it the due consideration that is important.

Mr. DORGAN. I wonder if the Senator from Washington will yield for a question. I have to leave the Chamber due to another event.

First, I thank the Senator from Washington. Senator CANTWELL has been unbelievably strong and supportive in getting us to this point of having passed the resolution of disapproval. We got it through the Commerce Committee. She was a leader in that effort. We now have voice voted it. It has passed the Senate.

I did want to say, as I said earlier, the issue here is simple. We have far too much concentration in the media. The Federal Communications Commission, at least the Chairman and two others who have been members, have become cheerleaders of more concentration. That means less localism. It means your local radio station, in many cases your television station, other media outlets, are run by somebody living 1,500 miles away, running homogenized music through a radio station having nothing to do with covering the local baseball team or news events. I think this moves in exactly the wrong direction. I believe there needs to be more localism and I think there has to be a procedure on localism at the Federal Communications Commission. There need to be public interest standards with respect to broadcasters that do not now exist. The standards have been emasculated. We have a lot to do to put this back on track.

Suffice it to say, the FCC was anxious to move in the direction of more consolidation, allowing newspapers to buy up television stations. We have had a ban on that for three decades. We prohibited the cross ownership in a market. The reason we have done that is pretty simple: We don't want there to be only one or a couple of dominant voices in a market. We want there to be many voices.

That is what our purpose is, to bring this resolution of disapproval. It is unusual to do this, but we did it. It got through the Commerce Committee, now through the Senate. It says to the Federal Communications Commission, get things right, do things right, don't truncate these things and cut the American people out of this process.

We have also said today we believe this is moving in the wrong direction. Everybody says there are more voices out there in the Internet and cable channels and so on. More voices but the same ventriloquist. We had one person testify from Los Angeles who came and said in my office we have 48 cable channels. I went through who owns the channels—42 of them are owned by the same few companies and that is the problem with concentration.

I again thank the Senator from Washington. She has done a great job and I am proud to work with her and Senator SNOWE especially, on the other side, and Senator Lott when he was here, to accomplish this result.

Ms. CANTWELL. I thank the Senator from North Dakota. The praise should go to Senator DORGAN for his leadership on this issue for the last year-plus time, continuing to make sure the Senate holds the FCC accountable for their actions, trying to pass a rule on media consolidation when they know there have been dissenting views all across America about this issue. Certainly there has been a dissent from the Senate.

The ownership of broadcast and print media does touch on some of the core values Americans hold for freedom of speech, open and diverse viewpoints, to have vibrant economic competition from a variety of sources, and local diversity.

Attention to diversity and localism has served our economy well and has also provided us a good civics lesson. These opportunities—when we hear from small companies, when we hear from minorities, when we hear from women—are the types of diversity we want to protect. We did that tonight.

The diversity in media does energize our democracy. Viewpoint diversity that comes from the various views that

can now be expressed are key to making us a stronger nation.

Having independent sources of news helps citizens to take opinions, not just locally but nationally and even globally. That is why I am glad we stopped the FCC from moving forward on their media consolidation proposal.

I remind my colleagues of the history here because I have a feeling this issue may come up again. Back in 2002, the FCC initiated its biennial review process, announcing the agency would fulfill and review the full range of broadcast ownership rules, but the announcement of the review was the only thing that was truly conducted in public.

On June 23, 2003, on a 3-to-2 party line vote, the FCC issued its new rules on media consolidation. Then-Chairman Powell did not issue the proposed rule for public comment prior to the vote.

The reason I am bringing this up is because what ensued is millions of people sent e-mails and weighed in with postcards and petitions to oppose the rule. In fact, the Senate sent a very clear message to the FCC at the time invalidating that proposed media consolidation proposal.

The Third Circuit Court of Appeals reviewed the FCC decision from 2003 and they determined it was ''not supported by reasonable analysis.''

What happened after that? Obviously there were a lot of people in loud chorus saying they disapproved of the FCC's action to further concentrate the media in this country. In 2007 the FCC passed the new media ownership rule, barely a month after it was proposed, allowing for little public comment and for even less time for consideration of the comments that came in. I know Chairman Martin likes to talk about allowing public comment for over 120 days and 6 hearings around the country, but all of that was done before the rule was even out there in public, what the actual changes would be.

In one example, they came to Seattle on November 9 and I think we had a mere 1-week notice for that. They had the meeting on a Friday afternoon. I think it was a 3-day weekend. Maybe they thought no one would show up, but it does not take a lot of notice in Seattle to get people to show up for a hearing about media consolidation, so 800 people showed up and spent 9 hours letting the Commission know their thoughts on what they thought the impact of increased media concentration would be.

It would hurt competition. It would lessen diversity. It would impact localism and was not in the broader public interest. I know Chairman Martin received an earful in Seattle, but clearly he didn't pay much attention to what we said, because a few days later he proposed new media ownership rules. They were released in a November 13 op-ed piece, I think in the New York Times, in a Commission press release.

So what we are saying is we do not like the process which the FCC pursued in not having the broadest public comment in this, and also when it looks at some of the issues that were discussed in trying to validate why the Commission continues to try to push for media consolidation.

I think it is very important. We have seen a pattern emerge. We see economic studies from the Commission where they cannot hold up to peer review, where data are not supportive of the predetermined conclusions that the FCC had, and that maybe they were ''checking the box'' when it comes to these public hearings and maybe giving mere lip service to localism and to women and minority ownership issues.

So all of those issues are going to continue to be duly noted by the Commerce Committee, and certainly we are going to continue to fight on this issue. The FCC media ownership rules were created decades ago to foster these longstanding goals that our country has to promote competition, to promote localism, to have diversity of voices.

The courts and industry experts and elected officials of all ranks across America have come together in an overwhelming chorus saying ''no'' to the FCC move to try to further consolidate the media.

I am glad my colleagues tonight as well disapproved of their action so we can continue to have the diversity of voices in America that I believe my constituents and Americans all across this country deserve.

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

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

THE 100TH ANNIVERSARY OF THE NATIONAL GOVERNORS ASSOCIATION

Mr. CARPER. Mr. President, I want to say a few words on the 100th anniversary of the National Governors Association.

I especially want to thank my friend and colleague Senator DURBIN for yielding to me to speak first this evening.

It was 100 years ago today that the first meeting of our Nation's Governors took place. In recognition of the National Governors Association's Centennial today, I, along with a number of my colleagues, including Senator VOINOVICH of Ohio and Senator ALEXANDER of Tennessee, have submitted a resolution commemorating the 100th anniversary of the National Governors Association.

It is my hope we will be able to clear this resolution honoring the 100th anniversary this evening. As former Governors currently serving in the Senate, Senators BAYH, BOND, GREGG, and BEN NELSON will also be joining myself and Senator ALEXANDER, along with Senator ROCKEFELLER, in sponsoring this resolution.

If you think about it, that is all of the former Governors who now serve in the Senate and who were at one time members of the National Governors Association. I was privileged to serve, along with Senators VOINOVICH and ALEXANDER, as chairman of the National Governors Association at one time.

It is a special privilege for me to take a moment to reflect on the organization's growth and its accomplishments over the last 100 years. On May 15, 1908, 100 years ago today, President Teddy Roosevelt hosted the first meeting of our Nation's Governors at the White House. They gathered to discuss conserving America's natural resources.

Now, 100 years later, the Federal Government is still working with our Nation's Governors in an ongoing effort to protect America's natural resources through conservation provisions such as the farm bill that we adopted here today or addressing climate change or protecting our air through legislation such as the Clean Air Planning Act.

Today, 100 years later, the National Governors Association serves as the collective voice of our Nation's Governors and remains one of Washington, DC's most respected public policy organizations.

Through this bipartisan organization, Governors are able to identify and discuss a broad range of issues relating to public policy and to governance. I have long said the 50 States are laboratories of democracy, and we should use them as such, and we do.

Today we do that. From the redwood forests to the gulf stream waters, initiatives and policy recommendations that have come from the Governors often serve as catalysts for change both in the States and at the national level.

I was Governor of Delaware back in 1995 when Congress was actively debating how to reform a failing Federal welfare program, trying to decide how do we make work pay more than welfare. Without solutions coming from the Congress, the States had already begun taking reform efforts into their own hands. Over half the States, including my own State of Delaware, and I believe the State of Vermont, had made significant changes to their own welfare programs by seeking waivers from the Federal rules.

Many of the welfare policies and practices tested by States were ultimately adopted by the Federal Government in the sweeping 1996 welfare reform legislation passed by the Congress and signed by President Clinton, which the Governors helped to write.

As with welfare reform, the National Governors Association has played and continues to play a key role in developing national policies ranging from

transportation to education, to environmental protection and health care, to name a few.

In the 1950s, President Eisenhower enlisted the Governors' help to help build our very first interstate highway system. The State-Federal partnership forever changed the face of transportation in America and underscored how critical States' participation has been to realizing national goals.

The same is true of Medicaid and the SCHIP program, the State Children's Health Insurance Program. The same is true of the implementation of the Clean Air and Clean Water Acts, and as we fight wars in Iraq and Afghanistan, the National Guard units of all 50 States.

Over the past century, the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges. On behalf of each of the former Governors who are privileged to serve today here in the Senate, it is my honor to acknowledge the leadership of Governors both past and present, to celebrate what they have achieved over the last 100 years by working together, and to look toward with anticipation of what lies ahead for our Nation's National Governors Association and for the Governors who will help to lead it in this century and beyond.

If I could just add a footnote, I always think of the States as laboratories of democracy. We can test policies or programs to see if they work at the State level, and if they do, maybe see if they would work on a national level.

One of the things I especially liked about being part of the National Governors Association was that every even-numbered year, right after the election in mid-November, the National Governors Association would host a school for new Governors and spouses. For 3 days, a different Governor would host in his or her State the NGA's school for new Governors and spouses. The students were the newly elected Governors who had been elected 2 weeks earlier. They were Democrats and Republicans, in some cases an Independent. The faculty were the current Governors and their spouses. We would spend 3 days together. Usually, it was as many as 20 Governors and spouses on faculty.

We would spend those 3 days together in different places around the country—no press, very little staff. The idea was for the grizzled veterans to really bare our souls to the new guys and gals, incoming Governors, and tell them the mistakes we made and to say to them: Learn from our mistakes. Don't make the same ones we did, whether it is putting together your team, developing your communications plan, working with the legislature, deciding where you are going to live and trying to be a chief executive and still be a good parent, a good spouse. But during those 3 days we spent together, a remarkable bonding occurred between the old Governors, the veterans, and the new Governors, and across party lines. I am convinced one of the reasons why the Nation's Governors tend to be less partisan is what happens in new Governor school.

Among my closest friends are Governor Mark Racicot, former Governor of Montana, who later went on to be national committee chair and general campaign manager for President Bush's reelection; Mike Leavitt, former Governor of Utah, who succeeded me as chair and who serves today as a Cabinet secretary in this administration. What we have tried to do in the Senate, those of us who used to be Governors who serve here today but went through new Governors school, is take that idea and transplant it here. I call it Senators school. It is really orientation.

This fall, in November, 2 weeks after the election, we will have new Senators, newly elected Senators, their spouses will come. They will spend 3 days together; some sessions with spouses, others not with spouses. The faculty will be current Senators and our spouses. We will have 3 days to get to know each other, to try to teach the new guys and gals the ropes and to begin to develop new personal relationships that really are needed here to make this place work. I look forward to being a part of doing that this November. But the idea was one of those ideas that came from the National Governors Association.

Again, the NGA and the States are laboratories of democracy. Taking that lesson and applying it here on the national level will have good effect.

I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 568 submitted earlier today by yours truly.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 568) commemorating the 100th anniversary of the founding of the National Governors Association.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARPER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 568) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 568

Whereas, in 1908, President Theodore Roosevelt invited the Nation's Governors to the White House to discuss conserving America's natural resources;

Whereas the Governors decided to form an association through which they could continue to come together on a bipartisan basis to discuss mutual concerns and share State practices;

Whereas, 100 years later, the National Governors Association serves as the collective voice of the 55 Governors of States, commonwealths, and territories;

Whereas, for the past century, Governors have utilized the organization to explore issues, develop solutions, and build consensus on diverse national policies;

Whereas the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges; and

Whereas the National Governors Association is celebrating 100 years of gubernatorial leadership—honoring the past, celebrating the present, and embracing the future: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the leadership of the Nation's Governors and honors their contributions to American politics and society; and

(2) commemorates the 100th anniversary of the founding of the National Governors Association.

The PRESIDING OFFICER. The Senator from Ohio.

ARMED FORCES DAY

Mr. BROWN. Mr. President, tomorrow we celebrate Armed Forces Day. Communities across my State, from Van Wert to St. Clairsville, from Sandusky to Ironton, will pause to honor the service and sacrifice of the men and women in all branches of the military service as they and we celebrate Armed Forces Day.

I have held close to 100 roundtables around my State where, in many of them, I had the opportunity to speak with dozens of these honorable man and women. Those conversations reinforced my profound respect for their unstinting bravery, their unshakable sense of duty, and their unwavering commitment to our national security.

Not long ago, at Walter Reed I visited two Ohio marines recovering from wounds suffered in Iraq. I asked each of them what was the first thing they thought about when they realized they were wounded. Both marines, independently of one another, said: ''Can I stay in the Marines.'' That simple statement speaks volumes about our men and women in uniform.

Armed Forces Day is an opportunity to honor our troops, an opportunity to honor the sacrifices they and, equally importantly, their families have made to protect our Nation, and an opportunity to honor the promises our Nation has made to repay their services and sacrifices. That is so important. We are stewards of those promises. We have a responsibility to work every day, against opposition sometimes, to ensure that our Armed Forces receive the wages and benefits and services they have earned. Honoring our troops should be more than sentiment. It should be action. When we make promises to our troops, we should keep them. They most certainly have kept their promises to us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I join the remarks of the Senator from Ohio acknowledging the great contribution made to America by our men and women in uniform. I hope we can honor their service, not only by providing for them while they are at war but providing for them as well when they come home. I am sure the Senator joins me in believing that a new GI bill which will provide for those returning soldiers is a fitting tribute to their service and a great investment in our future.

Our initial GI bill after World War II was born in conflict. After World War I, those returning soldiers marched on Washington time and again, demanding some payment for their service to our country. They were rebuffed and even attacked at times by our then Army in uniform. By the Second World War, we understood that we owed a great debt to the 16 million men and women who served, and 8 million of them took advantage of the GI bill.

That GI bill was groundbreaking and revolutionary. It paid for their tuition, their books, their room and board, as well as a monthly allotment so they could go to school. Those graduates of the GI bill became the thriving middle class of America that built our great Nation in the late 1940s, 1950s, and 1960s. It was the greatest single investment in returning soldiers in our history, and it should be replicated.

Those who honor the armed services should also honor them when they come home, to make sure they receive all the health care and benefits promised and are given a chance to have a full life after having served our country so well.

I am happy to identify myself with the remarks of the Senator from Ohio.

REPUBLICAN FILIBUSTERS

Mr. DURBIN. Mr. President, I also want to say that this has been a week when we have achieved a few things in the Senate but not nearly enough. We started off the Senate with a historic occasion, one which is not likely to be remembered by great historians but should be remembered by all who follow the business of the Senate. As of this week, the Republicans, the minority in the Senate, have now engaged in 71 Republican filibusters. A filibuster is an effort to stop the business on the floor of the Senate or at least to slow it down. It is a time-honored tradition in the Senate, but it is a tradition which has not been overused until this session of Congress.

In the entire history of the Senate, the total number of filibusters in any 2-year period, the maximum, was 57. So far in this 2-year period, the Republicans have engaged in 71 filibusters, and, of course, we have another 6 or 7 months to go in this session of Congress. It is clear that their ambition is to stop the Senate from addressing the major issues facing our Nation, or at least to slow us down to a crawl.

We have what we believe are good ideas and good proposals to deal with the high gasoline prices facing America's families and businesses, farmers and truckers. We have good proposals to deal with tax breaks for working families so they can meet the needs of their families with escalating prices for food and health care and daycare and the cost of daily living. Again, the Republicans have done their best to slow us down, if not stop us.

It reached a point several weeks ago that was nothing short of ridiculous. The Republicans initiated a filibuster to slow down the consideration of a bill known as a technical corrections bill. That is a bill that takes care of spelling and grammar errors. They engaged in a filibuster to slow down the Senate so it would take us a whole week to finish a technical corrections bill. When we finally reached the point and asked them for amendments, they had three or four that could have been dispensed with quickly.

They are dragging their feet and slowing us down with this record number of filibusters. But that isn't it alone. There is also a device in the Senate known as a hold. Most every Senator has used a hold, either on a bill or a nomination. Some of the holds that have been applied recently are so-called secret holds. Senators don't step forward to identify why they have held up a nomination or bill.

I have used holds. I am currently using those. But I have been very public about it. I have said exactly why I am doing it and the conditions for my releasing the hold. For example, when the Department of Justice wanted the approval of the Deputy Attorney General Mark Filip, a good man from Chicago, I said I would hold his nomination until I had received responses to questions I had submitted to the Department months before. Well, to his credit, Attorney General Mukasey moved on it extremely quickly. Within 48 hours, I had the answers and withdrew the hold immediately as promised. I am sorry it reached that point, but after waiting months, I didn't know another way to turn to get answers to important questions. So holds can be used effectively and honestly and openly.

Then again, there are holds that have been applied that I think are almost impossible to explain or justify. For example, one of the Senators on the Republican side has put a hold on a bill which was not controversial and very bipartisan, which would establish in the United States a national registry of those who are suffering from a disease known as ALS, or Lou Gehrig's disease. It is a terrible, debilitating disease. It was the hope of the sponsor, Senator HARRY REID of Nevada, that we could establish this registry and move even closer to finding the cause of this disease and perhaps lead to a cure. It was certainly a high-minded and sensible approach to a very serious medical condition affecting thousands of families across America.

One of the Senators from Oklahoma on the Republican side put a hold on this bill—in other words, stopped us from calling this bill for a vote. That is extremely unfortunate. There is nothing controversial about this bill. He should reconsider that hold. But it is not the only one.

PEPFAR REAUTHORIZATION

Mr. DURBIN. Mr. President, I rise this evening to speak for a few moments about another hold that has been placed on critically important legislation.

Anyone who follows what we do here on the floor of the Senate or in the House of Representatives knows that many of us on the Democratic side have disagreed with President Bush as to his policies. Over the last 7 years, there have been ample opportunities to vote against the President's policies, whether it is on the invasion, the war in Iraq, or economic policies that brought us to this sorry stage of the American economy, with working families struggling to pay their bills and to survive.

I have opposed President Bush's economic policies and many other things during the course of his administration. But there was one moment I can still recall when the President gave a State of the Union Address and announced that the United States would try to lead the world in dealing with the global AIDS epidemic. On the Democratic side, I joined many of my colleagues, standing and applauding President Bush for that announcement. Though I may disagree with him on many issues, I salute him for his special efforts to deal with the global epidemic of AIDS and tuberculosis and malaria.

The President established a program known as the President's Emergency Plan for AIDS Relief, commonly known as PEPFAR. This important program is up for reauthorization so that it can continue to save lives across the world.

They have renamed it in honor of two men who served in the House of Representatives—one a Democrat, Tom Lantos; the other a Republican from Illinois, Henry Hyde. It is known as the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act.

The Senate Foreign Relations Committee considered this bill and passed it out 18 to 3—an overwhelming bipartisan vote. Our colleagues in the House passed a similar measure with an overwhelming vote at the end of March of this year.

The President has urged Congress to send him the bill before the end of the year. President Bush takes great pride in this bill. He believes it is one of the hallmarks of his tenure in office and administration. I join him. I think it is his most positive achievement as President of the United States.

The purpose of this bill is to prevent 12 million new infections; support

treatment for at least 3 million people; provide care for another 12 million, including 5 million very vulnerable children.

That kind of assistance helps to save lives, and it is an important step not only from a humanitarian viewpoint but also to alert the world as to our real values in America. We are in a struggle across the world now. Many of our harshest critics paint a picture of the United States that is not close to reality. This kind of legislation, where the United States puts investment in the health care of people around the world, tells the right story about who we are and what we believe.

There is a sad ending, regrettably, as is too often the case in the Senate. This bill—despite the President's support, despite broad bipartisan support in the House and the Senate—is being blocked by several Republican Senators. Seven of my colleagues across the aisle, who have publicly identified themselves, have stopped the consideration of this bill to deal with the global AIDS epidemic. Those Senators are Senators COBURN, DEMINT, SESSIONS, CHAMBLISS, VITTER, BUNNING, and BURR.

Now, former Bush speech writer, Michael Gerson, issued a scathing criticism of this Republican hold in a recent article in the Washington Post. I quote him when he says:

> It is the nature of the Senate that the smallest of minorities can impede the work of the majority. But it takes a conscious choice—an act of tremendous will and pride—for members to employ these powers against an AIDS bill with overwhelming bipartisan support.

Mr. Gerson is right. I appreciate and share his sentiments and the frustration that comes with them.

There is broad bipartisan support for this measure. There are literally lives on the line. The President says we need it. Who would disagree? Virtually all of us on both sides of the aisle have applauded the President's efforts and voted for funding the PEPFAR program. Our ability to save the lives of millions of people around the world depends on a parliamentary maneuver in the Senate, where seven Republican Senators have put a hold on a bill to try to fight the global AIDS epidemic.

Many of my friends on the other side of the aisle support this bill enthusiastically. Even those with concerns about it are willing to concede this has been a remarkably successful program.

Since 2003, when we were treating only 50,000 people in sub-Saharan Africa, the PEPFAR and Global Fund now reach nearly 2 million people, primarily on the continent of Africa. That is an amazing record of progress in 5 years. That has literally changed the situation in Africa.

I went to Africa 7 or 8 years ago and did not go looking for the global AIDS epidemic. But you could not avoid it. Everywhere you turned, in every country I visited, terrible stories were being told about the people who were dying, how it was necessary to hire two teachers for every grade in school because one was likely to die before the end of the school year. It was awful. There was no hope. People would not go for tests to see if they were positive because learning that information led them nowhere—just the knowledge of impending doom.

Well, Mr. President, that has changed. Because of PEPFAR and the Global Fund, because of the efforts of the Gates Foundation, because of the efforts of former Presidents Bill Clinton and George H.W. Bush, we now find medications and treatment available in Africa. People are going forward to be tested so they do not unnecessarily expose someone else to the disease and so they can seek treatment at an early stage and live a long life.

The world has changed in Africa because of this program. But the program is about to expire, and these seven Republican Senators are standing in the path of reauthorizing that program.

When they were asked why they opposed this program being reauthorized, one of the Senators argued that it has gone beyond its original mission of treating AIDS and now is dealing with other issues. This critic of the program, my Senate colleague, called it ''mission creep.'' I wish that Senator could go to Africa and see it firsthand.

To argue that adding nutrition, safe water, and sanitation programs, treatment of tuberculosis and malaria, and protection of vulnerable populations is somehow beyond the scope of the original bill is to ignore reality.

I went to a portion of Nairobi, Kenya, to one of the larger slums, which has some 600,000 people and a rampant AIDS epidemic. Well, it is being treated with drugs and testing, and we are making some progress, but they took me to a small area where a group of parents who were infected with HIV were sitting and watching their children play.

I looked on as several of the women who were sitting there looked as if they were about to die, they were so emaciated. I said to the person with me: It is a shame they didn't have access to the drugs. The person said: They have access to the drugs. They are taking the drugs. They just don't have access to food.

These drugs don't work on a hungry person and an empty stomach. So when the critics of this PEPFAR reauthorization argue against food and nutrition as part of the program, they are ignoring the obvious. If you want to treat a woman with a child, and you want the drugs to work, she needs basic nutrition. That has to be part of the program. It does no good to give these drugs to a starving, dying person.

Maintaining the status quo, as some of my Republican colleagues who oppose this bill prefer, would deny the progress we have made under President Bush. This bill creates a program that is sustainable and maintains our essential leadership role in the fight against AIDS, TB, and malaria.

Some on the other side may disagree, and let me tell you, it is their right to disagree. But I think the honorable thing to do, the right thing to do, is to bring their disagreement to the floor and to offer an amendment. If they want to change the program, so be it. That is why we are here. We should consider the merits of their amendment and vote it up or down. Then, depending on the outcome, they can decide whether they want to vote for or against the bill.

But to hold this bill indefinitely, when 12 million lives hang in the balance, I have to agree with Mr. Gerson, it is a conscious decision—as he said: ''an act of tremendous will and pride.''

I urge my Republican colleagues: Please, please reconsider this hold. I find it very difficult to understand how some of these same colleagues can go to our Prayer Breakfast regularly and pray for the poor and suffering in the world and come to the floor of the Senate and put a hold on a bill that would provide nutrition and drugs to people who will die without it. I do not understand that. I hope they will reconsider.

Recently, President Bush traveled to Africa. He was greeted with great warmth and hospitality by a continent grateful for his efforts in the fight against AIDS. The Senate should not turn its back on what the President and America have achieved. We should move quickly to reauthorize the U.S. commitment to global AIDS relief. The efforts of these seven Senators holding this important bill should not stop us from doing the right thing for the millions of people around the world whose lives literally depend on it. I am going to urge my colleagues, as often as I can, to drop this hold on this bill to allow the Senate to debate and pass this important legislation.

TRIBUTE TO LUCY AND ROSA TREVINO

Mr. DURBIN. Mr. President, this past Sunday—Mother's Day—Barbara Mahany, a reporter for the Chicago Tribune, wrote a touching front-page story about Rosa Trevino, a mother who never gave up on her daughter, Lucy.

Born with a rare genetic degenerative disease, spinal muscular atrophy, Lucy Trevino was determined to win a degree in bio-engineering from the University of Illinois at Chicago.

Her quest would have been physically impossible if her mother had not been by her side for every class, every lab, every study session, and there to turn every page of her daughter's textbooks when Lucy's arms were too weak.

On Saturday, Lucy Trevino overcame the greatest obstacles and earned her degree. And Rosa, in reporter Barbara Mahany's words, taught us ''all a lasting lesson of a mother's love.''

At Lucy's commencement, the dean of UIC's engineering college stopped the ceremony to tell the members of the Class of 2008 about Lucy's persistence and Rosa's devotion. He said he

could barely get the words out without bursting into tears. When he finished, the entire audience rose and delivered a thunderous 2-minute ovation.

Spinal muscular atrophy is a progressive disease that withers the muscles that control the legs, arms and lungs. It can make breathing a struggle and make turning the page of a heavy book nearly impossible. But it leaves the brain and the mind untouched.

Lucy Trevino was 4 years old when she was told she had the disease. She started using a wheelchair when she was 9.

It was during countless visits to neurologists and orthopedic surgeons when she was a child that Lucy first became fascinated by science. During medical tests, she says, she used to wonder, ''How do those devices work?''

During her senior year in high school, she learned about a summer camp in bioengineering at UIC and immediately signed up. And she was hooked.

The following fall, Lucy Trevino became the first person in her family to go to college.

For her major, she chose bioengineering—one of the toughest programs in the engineering college.

Now, the prospect of years of studying such complicated subjects as thermodynamics and circuit analysis would be daunting for almost all of us. For Lucy, college presented special challenges.

You see, Lucy often needs help performing even such simple physical tasks as dressing, brushing her teeth, and cutting her food.

It takes her twice as long as other students to write up her labs because just moving a pen across paper can be hard sometimes.

At first, Lucy wasn't sure she could even go to college because UIC doesn't have a personal assistants program to help students with disabilities.

One day, as the start of Lucy's freshman year grew near, her mother Rosa asked, ''How would you feel if I went with you?''

Rosa had never even attended high school. But she had vowed years earlier that she would do whatever she could to see that her first-born daughter was never held back by her disease.

So every day, every semester for the last 6 years, Rosa was by Lucy's side.

Five days a week, mother and daughter took the CTA train from their home in Cicero to the University of Illinois at Chicago.

They became a familiar sight on campus: Rosa pushing Lucy's purple wheelchair. Rosa ordering for Lucy in the cafeteria line because Lucy's voice is sometimes barely louder than a whisper.

And there was Rosa, sitting a few feet behind Lucy in class, copying recipes or cutting coupons—always watching to see if Lucy needed a drink of water, or help turning a page. She sat through more than 2,100 hours of lectures in 51 different classes.

Pete Nelson, interim dean of UIC's engineering college, told the Tribune's Barbara Mahany, ''Lucy's story is about the sacrifices our mothers make for all of us.''

Michael Cho, who teaches mostly graduate engineering courses at UIC, has come to know Lucy and Rosa and is in awe of them.

Of Rosa's devotion, he says, ''The first thing that comes to my mind is this can't be anything else but a mother's love. It goes beyond commitment. It is sacrificial love. And I am just overwhelmed. It's not just 1 month or one semester. It's every day for 4 years.''

In fact, it took Lucy Trevino 6 years to earn her degree. Serious health challenges forced her to take a break from school in her junior year.

Last year, a student told Lucy that she had felt like skipping class, but she thought of Lucy and told herself, ''There's Lucy, she's always here. There's nothing wrong with me. I'm just lazy.''

Lucy was amazed anyone noticed her.

Another of Rosa's four children, Lucy's younger brother Hugo, also has spinal muscular atrophy—SMA—and uses a wheelchair. He is studying architecture at the University of Illinois Champaign-Urbana.

As much as Rosa would like to see Lucy and Hugo walk, she says she knows that God is good. She explains: One daughter can walk, one can't. It's the same with her two sons. What she can't see in one child, she sees in the other. And she sees in each child special talents.

In a few weeks, Lucy will go back to school to take one more class so she can complete a math minor. After that, she says, she would like to study law and become a patent attorney.

I hope Rosa is ready for law school. Because I suspect that once Lucy makes up her mind to do something, there's no holding her back.

Rosa Trevino is one of our new Americans who came to this country from Mexico 30 years ago, when she was 17.

This past Saturday, the day of Lucy's commencement, was Mother's Day in Mexico.

When Lucy received her cherished degree, she gave her mother a gift she had ordered months earlier: a formal-looking ''Certificate of Gratitude.'' It read: ''Thank you for all your love and support. I would not be where I am today if it wasn't for you. I feel so grateful to have you in my life. Today is my day, but I dedicate it to you.'' It is signed, ''Lucy Trevino.''

And on behalf of the Senate, I want to congratulate Lucy Trevino on her amazing accomplishment, and thank Rosa Trevino for her inspiring example of a mother's love.

Mr. President, I ask unanimous consent that the full text of the Chicago Tribune article about Lucy and Rosa Trevino be printed in the RECORD.

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

[From the Chicago Tribune, May 11, 2008]

LUCY'S MOM WAS THERE

(By Barbara Mahany)

Lucy Trevino's mother cuts peanut-butter-on-whole-wheat into bite-size squares, unscrews a strawberry-kiwi juice and holds the bottle to her daughter's lips so Lucy can get through lunch and make it back to class.

She riffles through Lucy's lavender backpack to find the lab report for BioE 494, bioengineering-based physiology. When the cell phone rings, she holds it to her daughter's ear. She zips her coat. Dabs a tissue to her nose.

And before all this, she has slipped her into jeans, tied her shoes, smeared toothpaste on her toothbrush and combed her thick black hair into a perfect ponytail. Lucy Trevino's mother was right behind her firstborn daughter all through college—sometimes shoving through mounds of snow, or up an icy ramp if her motorized wheelchair balked. When they got stuck, her mother pulled out her cell phone to call maintenance and ask if someone could please come clear the walks. Over the last six years, Rosa Trevino also became fluent in the CTA's Blue Line and Pink Line, as the mother and daughter made their way five days a week from home, a red-brick two-flat in Cicero, to the University of Illinois at Chicago.

Lucy Trevino graduated Saturday from UIC with a degree in bioengineering, and the dean stopped the commencement of the Class of 2008 to tell of the Trevinos' triumph. He barely made it, he said, without breaking into tears.

For the six years it took to get through one of the most rigorous programs in the College of Engineering, it was Rosa—a tad shy and always thinking two steps ahead—who got her daughter to every class, lab and study session. She knew which text and notebook to lay on Lucy's desk. And she turned the pages when a heavy book tired Lucy's hands.

For two or three hours, as Lucy absorbed lectures in calculus or thermodynamics or circuit analysis, Rosa sat not far away, just in case Lucy needed a sip of water or began choking.

Lucy, who is 24, was told she had a rare genetic degenerative disease, spinal muscular atrophy, when she was 4. SMA is a progressive disease that withers the muscles that control the arms, legs and lungs, and can make breathing a struggle.

Lucy's type of SMA usually takes away your ability to walk by the time you're in your teens—she began using a wheelchair at age 9—but unlike some other types, doesn't necessarily affect life span.

Lucy, who is the oldest of four, has a younger brother, Hugo, who has the same disease. He, too, uses a wheelchair; he's a freshman at the University of Illinois at Urbana-Champaign, studying architecture.

PARENTAL DEDICATION

''Lucy's story is about the sacrifices our mothers make for all of us,'' said Pete Nelson, interim dean of UIC's engineering college. Trevino's teachers, he said, ''were pounding down my door'' to ask for some recognition for this mother-daughter feat of unconditional devotion.

At UIC, where nearly a third of the students are the first in a family to go to college, Nelson said it's not uncommon to hear tales of parents working two or three jobs, sending money from overseas and just plain struggling so their kids can get what parents weren't afforded.

''But this is sort of the pinnacle in terms of the amount of dedication,'' Nelson said. ''This is what makes this business worthwhile.''

One of the professors pounding on Nelson's door was Michael Cho, who teaches mostly graduate courses in cell and tissue engineering, but who has gotten to know—and has been amazed by—the ubiquitous mother-daughter duo, so often spotted wending their way up a ramp, on or off an elevator, or tucked away studying in some secluded corner.

''The first thing that comes to my mind is this can't be anything else but a mother's love,'' Cho said. ''It goes beyond commitment. It is sacrificial love. And I am just overwhelmed. It's not just one month or one semester. It's every day for the last four years that I can think of.''

In fact, it's six years, because Lucy had to take time off when she got really sick her junior year; she suddenly couldn't lift her arms and was quickly losing memory.

It took months before a sleep test showed she stopped breathing 30 times an hour when she was asleep. She now sleeps with a machine that helps her breathe, and, within a week of using it, she said, she regained her memory, if not her arm strength.

''Ever since I was little, I loved science,'' said Lucy, who shares her mother's deep cocoa-colored eyes and rolls around campus in a purple wheelchair with back wheels that sparkle, like fireworks, with tiny neon bits. ''Because I went to doctors a lot and had a lot of medical exams, I would always wonder, ''How do those devices work?' ''

In her senior year at Morton West High School in Berwyn, Trevino learned from a counselor about a summer camp in bioengineering at UIC, so she signed up, and found her life's work.

She once dreamed of working to find a cure for her own disease, but decided ''it would be too stressful if I couldn't find it.''

The first one in her family to ever go to college, Lucy Trevino said she was ''too afraid'' to venture down to the U. of I. in Urbana-Champaign, where there's a whole dorm for students with disabilities, and the nation's oldest college-level disabilities-services program provides trained personal assistants, physical therapy, even wheelchair repairs.

''I didn't know if I should risk going all the way down there,'' she said.

Sticking closer to home seemed like a better plan. But because UIC doesn't have a personal-assistants program, she was stuck trying to find someone who could help her in a thousand little ways and be there whenever she needed.

''In college, you have such a crazy schedule. You stay after to study with other students. You need to talk to a professor. I was like, 'Oh, my gosh, how am I going to find someone who's going to put up with all of that?'

''My mom was like, 'Well, I guess I'll just go with you.'

''And then it was getting closer to the start of the first semester, and I still hadn't found anybody. She said, 'How would you feel if I went with you?' I was like, 'Oh, my gosh, would you?' ''

Because Rosa Trevino, who is 47 and moved from Mexico when she was 17, had two children with special needs, she had long since become a stay-at-home mom, giving up a series of baby-sitting jobs. Rosa's husband, Hugo, retired last year after 32 years as a CTA bus driver. Rosa herself had never even been to high school.

On the day back in 1987 when doctors said her little girl would ''someday need a wheelchair,'' Rosa recalled, crying at the memory, she promised herself she would do ''everything I can.''

MOTHER KEEPS BUSY

Even if that meant sitting through more than 2,100 hours of 51 classes, countless study sessions and hour-long train rides, back and forth, each day. Most often, Lucy said with a laugh, her mother spends time cutting recipes and coupons, because she gets bored with all the bioengineering in a language she doesn't fully understand.

At first, Lucy admitted, going to college with her mother wasn't exactly without its bumps.

''I had never spent so much time together with my mom. We would sometimes get on each other's nerves,'' she said, chuckling. ''But then we got to know each other really well. We're like best friends. Now I tell her everything. Before I wouldn't tell her everything that happens when you have a disability. People who aren't in a wheelchair can't understand. But now, since we do everything together, she knows.''

Semester after semester, year after year, Lucy and her mother found a way. She passed 400-level exams. She wrote up labs that took her twice the time of everyone else, simply because the pushing of a pen on paper is so hard for her.

Once, a civil engineering professor noticed that because of Lucy's wheelchair, she couldn't write on her desk. He challenged her to design a lightweight writing table. Then he went and built it. She got an A.

Mostly, the Trevinos relied on each other, and on unflagging faith.

''One time, I think in the night, almost for an hour, I cried to on high, 'Why me? Why me?' '' Rosa said. ''I heard a voice, 'Why not me?' ''

For those who watched their unswerving perseverance, the simple fact that the Trevinos never stumbled inscribed a lasting honor on Lucy's college transcript.

''One time last year,'' Lucy said, ''a student told me she'd felt like ditching class, staying home. But then she looks and says, 'There's Lucy, she's always here. There's nothing wrong with me. I'm just lazy.'

''Wow, I didn't even think that anyone noticed me.''

In the very end, on a Mother's Day weekend in the red-carpeted UIC Pavilion, as Nelson saluted a student and a mother who had taught them all a lasting lesson, a sea of Lucy's blue-gowned classmates rose and nearly drowned out the dean with a thunderous two-minute ovation. Chances are Lucy and Rosa Trevino finally understood how very much a whole college noticed.

ZIMBABWE

Mr. FEINGOLD. Mr. President, with skyrocketing inflation and unemployment, riots over land reform and food shortages, and streams of economic and political refugees fleeing into neighboring countries, the primary constant in Zimbabwe over the last 30 years has been the increasingly despotic and disastrous rule of President Robert Mugabe. A decade ago, high interest rates and inflation galvanized public support for the Zimbabwean Congress of Trade Unions led by Morgan Tsvangirai, who was chosen in 1999 to lead a new opposition party—the Movement for Democratic Change, or MDC. In 2002 and 2005, President Mugabe's ruling ZANU–PF party rigged Presidential and Parliamentary elections to maintain its grip on power, and while he tried to do it again on March 29 of this year, the MDC and the people of Zimbabwe refused to be intimidated or outmaneuvered.

Despite the Zimbabwean Government's best efforts to limit the access of international monitors and journalists, most observers concur that the general elections conducted this past March were fraught with rigging, mainly to favor the ruling ZANU–PF. Even so, these efforts failed to silence the people of Zimbabwe's call for change. After significant and unexplained delays, the Zimbabwe Electoral Commission announced that the MDC had won a majority in Parliament and that Mr. Tsvangirai won more votes for the Presidency, but not enough to avoid a runoff.

For more than 6 weeks now, Zimbabwe has been in a state of increasing political uncertainty and violence. With each passing day, there are new reports of state-sponsored intimidation and detention of opposition leaders and supporters, human rights activists, trade union leaders, lawyers and journalists. The delay in announcing and now in setting a date for the Presidential runoff election has allowed the ruling party to mobilize traditional state security services as well as youth militias and bands of military veterans to weaken the opposition. Mr. Tsvangirai has agreed to participate in a run-off election, but he is reluctant to return to Zimbabwe, much less to campaign, unless the government will guarantee his security and cease its assault on his supporters. Facing the prospect of another three months in political limbo and social upheaval, Zimbabwe risks plunging into even greater uncertainty and instability.

Mr. President, we can not stand by while this disaster unfolds. President Mugabe has been losing legitimacy, both at home and abroad, for years, isolating himself and his country to the detriment of Zimbabwe's citizens. The people of Zimbabwe are calling for change, but it will take engagement from external actors to help them escape the devastating status quo. The recent decision by dock workers across southern Africa to refuse to unload a Chinese ship carrying Zimbabwe-bound ammunition sent a strong message, one that the international community should echo. Public statements condemning the situation in Zimbabwe by the newly elected President of Botswana followed on the heels of these protests and resulted in the denial of a port at which the Chinese ship could dock. Decisions by other leaders in the region to welcome Mr. Tsvangirai for a visit have been equally important signs of this growing political will but they are not enough.

The MDC's runoff conditions are more than reasonable, and should be supported in any way possible by regional and international governments. Given the tense environment and high potential for politically motivated violence, a commitment to ending impunity for human rights violations and stopping the attacks must be a top priority. Yesterday, the United Nations representative in Zimbabwe reported ''indications that the level of violence is escalating . . . and could reach crisis

levels.'' I urge the U.N. to immediately send a team to investigate these human rights abuses so that the perpetrators will be held accountable and future violations might be deterred. Similarly, I welcome the African Union's willingness to send additional monitors for the runoff election, and I encourage the AU or SADC to draw together resources for a short-term peacekeeping mission to maintain order and protect civilians in Zimbabwe during this uncertain time.

In addition to an immediate cessation of violence, I fully support demands by the United States Government and others that the Zimbabwe Government permit unfettered access for international media and observers during the campaign and conduct of the run-off polls and guarantee Mr. Tsvangirai's safety. South Africa's President Mbeki and other leaders of the Southern African Development Community should join this forthright call. President Mugabe and his top brass must respect fundamental human and political rights and allow for a fair, nonviolent, and independently monitored runoff election that can bring to power a legitimate government capable of bringing stability and growth to this embattled nation.

HONORING AMERICA'S FINEST

Mr. CARDIN. Mr. President, this week, 358 new names were inscribed on the National Law Enforcement Officers Memorial, representing officers from across the country over the course of many years. We often take for granted the thousands of brave officers who dedicate their lives to protecting our streets and our communities every day across Maryland and across America. But this week, during National Police Week, we all should take a moment to thank these brave men and women—America's finest—who risk their lives on our behalf. We especially must honor the fallen law enforcement officers who have made the ultimate sacrifice so that the rest of us could enjoy our families and go about our daily business with a common sense of peace and security.

Nationally, 187 law enforcement officers gave their lives in the line of duty during 2007. More than one-third succumbed to gunfire. On average, they were nearly 11-year veterans of their respective departments. The average age was just 39 years young. Seven of these brave officers were women. Most importantly, these were sons and daughters, husbands and wives, sisters, brothers, and true role models for those who knew them well or saw them on the street proudly wearing their uniform or badge. So our thoughts, during this special commemoration, also are with their families and the communities they touched by their presence.

Four of Maryland's finest gave their lives for our safety in 2007 and one more recently on New Year's Day, January 1, 2008. I would like to take a moment to tell you about these brave law enforcement officers.

Troy Lamont Chesley, Sr., was a detective with the Baltimore City Police Department. At age 34, he was a 13-year veteran. On January 9, 2007, shortly after Detective Chesley got off duty at a public housing unit, a suspect attempted to rob him. Despite being shot and mortally wounded, Detective Chesley was able to take police action and return fire. The robber was arrested later in the day and charged in connection with Detective Chesley's murder. A widower himself, Detective Chesley is survived by his three daughters, two sons, parents, and brother.

On April 25, 2007, Police Officer Luke Hoffman had been with the Montgomery County Police Department just 1 year when he was struck by a car while involved in a foot pursuit of a suspected drunk driver. The driver had fled on foot after a slow-speed pursuit in the Aspen Hill area early that morning. Officer Hoffman was struck after chasing the suspect across Old Georgia Avenue in an area with very low lighting conditions. Another patrol car struck Officer Hoffman when his patrol car went down an embankment and struck a tree. The officer in the patrol car was injured. Officer Hoffman was flown to a local hospital where he later died.

Corporal Scott Wheeler of the Howard County Police Department was struck by a speeding vehicle he was attempting to flag down on Route 32. He had stepped into the roadway in an attempt to stop the car for speeding while working an enforcement detail. He was flown to Maryland Shock Trauma Center where he died on June 18, 2007, 2 days after the accident. Corporal Wheeler had served with the Howard County Police Department for 6½ years. He was posthumously promoted to the rank of corporal. He is survived by his wife, parents, and brother.

Another brave Marylander who lost his life far too early was 25-year-old Police Officer Christopher Nicholson of the Smithsburg Police Department. Officer Nicholson was shot and killed while responding to assist members of the Washington County Sheriff's Office at a call involving reports that a man had just murdered his girlfriend during a domestic disturbance. As he waited in his patrol car a short distance away from the home for additional units to arrive, the suspect drove toward Officer Nicholson's patrol car and opened fire as he pulled even with the officer's door. A rifle slug struck him in the chest, penetrating his vest. The suspect fled into a nearby cemetery, where he engaged members of the Special Response Team in a shootout. The man was wounded and taken into custody. Officer Nicholson was flown to a local hospital where he succumbed to his wounds. Officer Nicholson had previously served with the Maryland Division of Correction but spent only 1½ years with the Smithsburg Police Department before his death. He is survived by his mother, father, and girlfriend.

Finally, another auto accident claimed the life of Corporal Courtney G. Brooks of the Maryland Transportation Authority Police Department. He was struck and killed by a hit-and-run driver on I–95 in Baltimore City at approximately 11:30 pm on New Year's Eve 2007. A 13-year veteran of the Maryland Transportation Authority Police Department, Corporal Brooks was setting out cones at the interchange of I–95 and I–395 to keep commercial vehicles out of downtown Baltimore during New Year's celebrations when he was hit. The driver fled in his vehicle but was apprehended early the next morning. Corporal Brooks was transported to Maryland Shock Trauma Center where he succumbed to his injuries shortly after midnight on New Year's Day, January 1, 2008. Lost at the age of 40, Corporal Brooks is survived by three children and a fiance.

I mentioned earlier that gunfire accounted for more than a third of the law enforcement deaths nationwide. This was the single-biggest cause of death. Perhaps after hearing about Police Officer Hoffman, Corporal Wheeler and Corporal Brooks, it is no surprise that automobile accidents fall second on that list, claiming the lives of over 25 percent of law enforcement officers who died nationwide last year.

During this commemoration, let me also offer thanks to The Officer Down Memorial Page, a nonprofit organization dedicated to honoring America's fallen law enforcement heroes every day of the year by telling the stories and preserving the memories of each of these officers at www.odmp.org. I also offer my tribute and respect to the National Law Enforcement Officers Memorial Fund, which generates increased public support for law enforcement as a profession, promotes law enforcement safety, and leads our Nation in remembering the fallen 365 days a year but especially during National Police Week.

I am humbled by the sacrifice these law enforcement officers have given for their fellow Marylanders. I would hope that they represent the last of our Nation's finest law officers who would sacrifice themselves for the greater good of safety and security.

Unfortunately, we know that is not likely. That is why, as a member of the Senate Judiciary Committee I am working with my colleagues to improve the Bulletproof Vest Partnership Program to make it easier for States to qualify for grants under this program. While not a guarantee, bulletproof vests do save lives and allow more men and women in law enforcement to return home to their families at the end of their shift.

We held a hearing in the Judiciary Committee earlier this week, during which we heard from Detective David Azur, an ATF agent from Baltimore, MD. He testified about how, in 2000,

while working as part of the Regional Auto Theft Task Force, he was shot in the line of duty and survived only because of his bulletproof vest. He was subsequently awarded the Medal of Valor for his actions that day.

I also recognize that strong partnerships between first responders, like police officers, and the cities and States they serve are vital to public safety. I firmly believe that all of our Nation's first responders deserve the right to be treated with respect. But far too many first responders across the country do not have basic workplace protections.

As we debate the Public Safety Employer-Employee Cooperation Act, I pledge to work to ensure all first responders receive the respect they deserve with the same protections enjoyed by so many other workers across the country. I have cosponsored this important bill. In honor of the 187 law enforcement officers who gave their lives last year and the more than 18,000 who have done likewise, I urge the Senate to pass this important legislation.

TRIBUTE TO LEO KELLY

Mr. KENNEDY. Mr. President, it is always sad when a World War II veteran leaves us. These men and women served our country with immense courage, skill, and dedication, and came home from war to make immense contributions to our society. They have rightly been called ''the greatest generation,'' and we mourn the loss of each and every one of them.

On February 18, another member of the ''greatest generation'' died. Navy veteran Leo Kelly was 87 and lived in Burlington Township in New Jersey with his wife of 58 years, Claire. Leo was the father of six daughters and a son, and I came to know him because his daughter Beth is married to my nephew Joe Kennedy, a son of Robert Kennedy and a former Congressman from Massachusetts in the House of Representatives.

It is Leo Kelly's extraordinary career in the Navy that I want to call to the attention of my colleagues in Congress. Leo Kelly answered the Nation's call soon after World War II began. He enlisted in the Navy in 1942 at the age of 21 and retired in 1964 with the rank of lieutenant commander.

He became a Navy fighter pilot and earned numerous awards and medals for valor and bravery under fire during the war. He served on the USS *Langley*, which was named for the great American scientist and aviation pioneer Samuel Pierpont Langley. The ship was on the front lines during the critical final years of the war in the Pacific, and the crew as a whole was cited in glowing terms by Secretary of the Navy James Forrestal for their outstanding heroism in action that contributed so much to our Nation's victory.

Leo Kelly himself was awarded both the Distinguished Flying Cross and the Air Medal for his special heroism on January 12, 1945 in an attack on Japanese shipping in Camranh Bay in French Indo-China, which is now Vietnam. As the citation by President Roosevelt stated.

> Kelly fearlessly dove his plane through a heavy curtain of powerful anti-aircraft fire to score two direct hits with his rockets and contribute to the damaging of an enemy merchant vessel. Then, joining in an attack against a group of hostile seaplanes on the water, he executed a series of strafing runs and, striking furiously at his target, personally destroyed one of the enemy aircraft.

Courage like that is what made Leo Kelly a true American hero, and the Nation owes him a debt we can never fully repay.

After the war, Leo Kelly continued his career in the Navy for nearly two decades. From 1953 to 1955 he was assigned to a Naval ROTC unit in Philadelphia and earned his bachelor's degree in political science and attended the Navy's postgraduate school. He retired from the Navy in 1964 and went to work for Tenneco Plastics Company in Burlington, where he and Claire raised their wonderful family.

He had many interests. He was an excellent golfer, and had played for various Navy teams early in his career. He loved classical music, especially playing the violin. He had a profound faith in God, was a member of St. Paul's Roman Catholic Church in Burlington, and had been a member of the Bridge Prison Ministry.

He was also a wonderful family man, as so many members of his family said so movingly at the service held for him in February. His daughter Beth said it beautifully in her eulogy at the service:

> Our father was a strong, quiet force in our lives, guiding us, always encouraging, smiling or nodding his approval. . . . He always adjusted to whatever came his way. The very qualities that made him excel at being a pilot prepared him for a life with six daughters and one son.

America is grateful to Leo Kelly for all he did for our country during his extraordinary life, and I know that future generations of his family will always treasure his memory.

I ask unanimous consent to have his daughter Beth's eulogy printed in the RECORD, along with the full texts of the World War II citations he received.

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

EULOGY BY BETH KENNEDY FOR HER FATHER, WORLD WAR II NAVAL HERO LEO KELLY

[Military Chapel, Wrightstown, New Jersey, Feb. 25, 2008]

Good afternoon. I'm Beth Kennedy, one of Leo and Claire's many daughters who no one can keep straight. It's as though our names are interchangeable!

On behalf of my mother and my brother and sisters, I'd like to thank all of you for coming to celebrate our father's life and mourn his passing.

I just wanted to share a few words before we all leave today. My mother always told me, for as long as I can remember, God will never give you more than you can bear. He will give you the strength to accept His will.

And for my family, those words were never more true than during the past week as we began a life without our father. We each have our special memories of Dad. Some we remember with lots of laughter, and some we reflect on privately. But all of them are filled with love, and all of them are joined with our mother, who was always by his side, beautiful and smiling. You know, in all the hundreds of photos we sorted through for this occasion, in every single picture our mother was smiling radiantly, as though every moment with her husband—and later, with her children—was a gift. And it was a gift for us, too.

Mom, you were Dad's co-pilot. The love of his life. You taught us what love and devotion truly are.

Kathy, you spent so much time helping take care of Dad, always with humor and grace. You were a leader for all of us.

Michelle, you spoke so beautifully last night about Dad. You took care of so many details of his health care, always with patience and love.

Nancy, you embraced our parents' spirituality the most, and shared a strong religious bond with Dad.

Leo, you inherited Dad's quiet strength, and to this day you share your time and energy helping your family and your friends in need, most times without even being asked.

Teresa, you would always brighten Dad's days with your sparkling optimism and good cheer, along with a little something for his sweet tooth and a visit from Michael.

Jackie, you could always make Dad smile, and you could always get away with anything. Dad was so happy and proud to finally become a grandfather.

Our parents gave us so many wonderful memories: trips to the seashore; our family outing to the Poconos; grilling steaks in the backyard at Salem Road; Friday night fish fry dinners at Howard Johnson's. And later in our lives, as our father gave each of us girls away on our wedding days, dancing with the happy bride. And always, always, praying with us for God's blessing. Our parents gave us the highest standard for a strong marriage filled with love and faith.

Our father was a strong, quiet force in our lives, guiding us, always encouraging—smiling or nodding his approval. I remember the day I moved to Boston after graduating high school. After my teary goodbye to mom, my father drove me to the train station in Trenton. He got me settled in on the train, bags secured, and I took so long saying goodbye to him with tears and prayers—the train took off with both of us on it!! He had to get off at the next stop and wait for a train to take him back to Trenton. I was delighted to have his company for such a nice send-off, but I do recall an inordinate amount of throat-clearing by Dad.

He always adjusted to whatever came his way. The very qualities that made him excel at being a pilot prepared him for a life with six daughters and one son. I read through Dad's pilot rating book a few nights ago, and I was struck by the consistent comments and descriptions of him: ''smooth, dependable, eager to learn, retains instruction, good coordination in unfavorable weather conditions, good pilot material.''

Well, Dad, we're all here to say a prayer for you as you join Grandpere and Mamie, Aunt Teen, and all your friends up in Heaven. And as you always said to me at the end of every conversation or phone call—''God bless you good.'' Goodbye, Dad; I love you; God bless you good.

CITATION FOR THE DISTINGUISHED FLYING CROSS AWARDED TO LEO KELLY

The President of the United States takes pleasure in presenting the Distinguished Flying Cross to Lieutenant Junior Grade Leo

Kelly, United States Naval Reserve, for service as set forth in the following citation: For heroism and extraordinary achievement in aerial flight as Pilot of a Fighter Plane in Fighting Squadron Forty-Four, attached to the USS Langley, during operations against enemy Japanese forces in the vicinity of French Indo-China, on January 12, 1945. Participating in a daring strike against enemy shipping and installations, Lieutenant Junior Grade (then Ensign) Kelly fearlessly dove his plane through a heavy curtain of powerful anti-aircraft fire to score two direct hits with his rockets and contribute to the damaging of an enemy merchant vessel. Then, joining in an attack against a group of hostile seaplanes on the water, he executed a series of strafing runs and, striking furiously at his target, personally destroyed one of the enemy aircraft. By his expert airmanship, courage, and devotion to duty in the face of grave danger, Lieutenant Junior Grade Kelly upheld the highest traditions of the United States Naval Service. For the President, [signed] James Forrestal, Secretary of the Navy.

CITATION FOR THE AIR MEDAL AWARDED TO LEO KELLY

For distinguishing himself by meritorious acts while participating in an aerial flight in an attack on enemy shipping, Camranh Bay, French Indo China on 12 January, 1945. As pilot of a carrier-based fighter plane he dived against enemy anti-aircraft fire to hit an enemy merchant vessel with two rockets. This vessel was left beached. A few minutes later he again dived through anti-aircraft fire to destroy an enemy seaplane on the water. His courage and skill were at all times in keeping with the highest traditions of the United States Naval Service.

CITATION FOR THE NAVY UNIT COMMENDATION AWARD TO THE AIRCRAFT CARRIER USS ''LANGLEY''

The Secretary of the Navy takes pleasure in commending the United States Ship Langley for service as set forth in the following citation: For outstanding heroism in action against the enemy Japanese forces in the air, ashore and afloat in the Pacific War Area from January 29, 1944 to May 11, 1945. Operating continuously in the most forward areas, the USS *Langley* and her air groups struck crushing blows toward annihilating Japanese fighting power; they provided air cover for our amphibious forces; they fiercely countered the enemy's aerial attacks and destroyed his planes; and they inflicted terrific losses on the Japanese in Fleet and merchant marine units sunk or damaged. Daring and dependable in combat, the Langley with her gallant officers and men rendered loyal service in achieving the ultimate defeat of the Japanese Empire.

[This citation specifically mentions the following operations of the USS *Langley:* Marshall Islands, Jan. 29–Feb. 23, 1944; Palau, Hollandia and Truk Islands, March 29–April 30, 1944; Marianas and Bonins Islands, June 11–Aug. 8, 1944; Philippines, Palau, and Yap Islands, Sept. 6–24, 1944; Ryukyus, Formosa, and Philippines Islands, Oct. 10–Nov. 25, 1944; Luzon, Dec. 14–16, 1944; Philippines, Formosa and Ryukyus Islands, and China Sea, Jan. 3–22, 1945; Japan and Bonins Islands, Feb. 16–25, 1945; Japan and Ryukyus Islands, March 18–May 11, 1945.]

AWARDS TO LEO KELLY FOR HIS SERVICE IN THE NAVY

Distinguished Flying Cross; Air Medal; Navy Unit Commendation Ribbon; Combat Action Ribbon; National Defense Service Medal with 1 Bronze Star; American Campaign Medal; Asiatic Pacific Campaign Medal with 3 Bronze Stars; World War II Victory Medal; Philippine Liberation Medal with 2 Bronze Stars; Philippine Presidential Unit Citation.

SERVICE OF LEO KELLY IN THE NAVY

Enlisted in Navy, July 9, 1942 as Seaman Second Class and became Aviation Cadet on Aug. 7, 1942; July 9–Dec. 14, 1942—Inactive Naval Reserve; Dec. 15, 1942–Jan. 15, 1944—Active Naval Reserve; January 16, 1944—Promoted to Ensign; June 1, 1945—Promoted to Lieutenant Junior Grade; July 1, 1955—Promoted to Lieutenant Commander; July 1, 1964—Retired.

ADDITIONAL STATEMENTS

TRIBUTE TO SANDRA ESTY

• Mr. INHOFE. Mr. President, I would like to recognize Ms. Sandra ''Sandi'' J. Esty, one of our most distinguished civil servants who will retire from Federal service on June 7, 2008, after contributing over 35 years of dedicated service to our country. She serves as the Chief, Air Operations Division, Office of Legislative Liaison, Office of the Secretary of the Air Force, the Pentagon, Washington, DC. She is responsible for managing, planning, developing and executing all facets of congressional travel matters for the Department of the Air Force. Ms. Esty also serves as the senior adviser and special assistant to the Director, Legislative Liaison and Air Force leadership with oversight of the Air Force Congressional Travel Program.

Ms. Esty left Syracuse, NY, in 1972 to begin her illustrious civil service career as a clerk-stenographer in the Office of the Air Force Reserve, the Pentagon. After demonstrating remarkable competence in working congressional constituent inquiries, she was selected to work Air Force constituent issues in the Secretary of the Air Force Legislative Liaison Inquiry Division, in 1975. She was promoted and served a short tour as the Administrative Assistant for the Secretary of the Air Force Space Systems, Budget Office before being asked to return to the Air Force Legislative Liaison Branch in 1981, this time as the Administrative Assistant to the Chief of Air Operations Division in Legislative Liaison. She was promoted in 1983 and served as Administrative Assistant to the Deputy Assistant Secretary of the Air Force for Acquisition, Electronic Warfare. In 1985, she returned to Legislative Liaison as the Administrative Assistant to the Director of Legislative Liaison and then was assigned as an action officer in the White House Liaison Branch, Legislative Liaison, where she established herself as one of the top leaders of Legislative Liaison. In 1988, she was promoted and selected as the Deputy Chief, Air Operations Division, Legislative Liaison, and then, in 1997, she was promoted as a GS–15 and continued to serve in her current position as Chief, Air Operations Division.

During her tenure in the Air Operations Division, Ms. Esty was responsible for all the travel requirements of Members and staff of Congress arranged by the Air Force. Ms. Esty's calm, logical, thorough method of dealing with unique situations involved some of this country's most important citizens, its legislators. Her true dedication to ''doing it right,'' the absolute insistence on honesty and integrity, and the patience under extreme daily pressure are the standards that Ms. Esty leaves for all those who follow. She coordinated and executed over 10,000 congressional trips worldwide, to include the movement of approximately 70,000 Members and staff of Congress to 193 countries and 7 continents. I personally travelled on many of the trips with the Senate Armed Services delegations that Ms. Esty arranged, coordinated, and flight followed. Each was a complete success.

I join my colleagues in expressing our sincere appreciation to Ms. Esty who has provided many years of dedicated and professional service to the Congress and the U.S. Air Force and wish her well in all her future endeavors.•

TRIBUTE TO DR. CARL V. PATTON

• Mr. ISAKSON. Mr. President, I wish today to honor in the RECORD of the Senate a great educator in the State of Georgia. On June 30, 2008, Dr. Carl V. Patton will retire as president of Georgia State University after 16 years of outstanding service.

Dr. Patton has led Georgia State University in its transition from a commuter school into a vibrant research university that is home to more than 28,000 students representing every county in the State, every State in the Nation, and 160 countries.

Georgia State has grown into one of this Nation's leading urban research universities, reflecting Dr. Patton's vision for a partnership between Atlanta and the university. Instead of designing walls to keep the city and its urban ways separate from the campus, he has insisted that the university fully integrate its research, teaching and service mission into the fabric of the urban environment of its downtown Atlanta home.

As the university has grown physically, it has grown in stature as well. The College of Law, which was in its infancy when Dr. Patton became president in 1992, is now ranked within the top 100 law schools. The Andrew Young School of Public Policy, founded in 1996, has grown from an idea to an internationally recognized program that works in over 30 countries around the globe as well as at home in the areas of health care, environment, air quality, taxation, aging, education, child care, and diversity.

The J. Mack Robinson College of Business continues to rank among the best in both graduate and undergraduate offerings, with two programs ranked in the top 10 by US News and World Report. The College of Health and Human Sciences leads the country

in research on urban health issues such as HIV, health care shortages, criminal justice, social work and nutrition.

Georgia State's College of Arts and Sciences hosts one of only two bio-safety level 4 labs, which will move shortly into a new Science Park that this Congress has seen fit to support. The new Science Park promises to bring cutting-edge research in the bio and neurosciences and will facilitate the growth of bio-technology in Atlanta and beyond.

Finally, the College of Education is hard at work partnering with urban schools to provide a clinical, supervised method for training our future teachers to ensure the success and longevity of these new teacher careers and, most importantly, the long-term success of our children who live within our major urban centers.

Dr. Patton has lived his life in the way he hopes his students live theirs, tirelessly volunteering for service in his community through organizations such as Central Atlanta Progress, the Rotary and the Grady Memorial Hospital Corporation. However, his example and his hard work will not stop at retirement, as he plans to continue to live downtown and assist Georgia State in its future endeavors to raise capital and to expand its student body to tackle the tough issues of our times.

It gives me a great deal of pleasure and it is a privilege to recognize on the Senate floor the contributions of Dr. Carl V. Patton to higher education in Georgia. He has served Georgia State University, the city of Atlanta, the State of Georgia and the United States of America very well. Dr. Patton has earned the many happy years of retirement ahead of him.●

CELEBRATING THE 100TH ANNIVERSARY OF HOLY NAME OF JESUS PARISH

● Mr. LUGAR. Mr. President, I wish today to congratulate Holy Name of Jesus Catholic Church and School in Beech Grove, IN, currently celebrating the centennial year of the founding of the parish. On the weekend of June 27–29, 2008, the clergy, students, and parishioners who are part of the Holy Name community will honor this signal event. I am confident it will be a time of joy, worship, and fellowship that members will cherish well into the future.

Holy Name was founded in 1908 by the Rt. Rev. Silas Chatard, the first Bishop of Indianapolis. In its inaugural decade the parish grew steadily, and the years that followed brought about exciting changes and expansions to the facilities and ministries provided by the church. In the early 1920s, the Holy Name School was built; its first class graduated in 1923; and to date, the school has graduated over 4,200 students from prekindergarten to eighth grade.

I applaud Holy Name and its many members for the laudable service they provide local communities in the greater Indianapolis area and beyond, and I am hopeful that these festivities will be an opportunity for celebrants to not only honor the past achievements of their parish, but the blessings of another 100 years as well.●

OSWEGO ELKS

● Mr. SCHUMER. Mr. President, I ask that the following statement be printed in the RECORD.

The statement follows.

[From the Elks Magazine, Apr. 2008]

ALL-AMERICAN LODGE—OSWEGO ELKS SHINING FORTH IN NEW YORK STATE

(By Mark Hagland)

Just because something is old doesn't mean it's tired. In fact, in the case of Elks Lodge No. 271, in Oswego, New York, the opposite is, most vigorously, true. The Oswego Lodge, with over eleven hundred members and a very large contingent of core active members, has been for years a leader lodge in its region, its state, and the nation. Showered with awards for outstanding achievement in such key areas as youth programs, veterans activities, and ritual ceremony, the Oswego Lodge was designated an All-American Lodge in 2006–2007 by the GL Lodge Activities/State Associations Committee.

In fact, in the key area of youth programs, the Oswego Lodge has won first or second place in the state of New York every year for more than twenty years, confirms John Rinaldo, Oswego's exalted ruler. ''We're absolutely committed to the youth of this community,'' Rinaldo says, and all the awards are evidence of the lodge's long-term commitment, a commitment that actually goes back nearly to the beginning of the lodge's history, he notes.

That history is a long and storied one. The Oswego Lodge was inaugurated on June 24, 1894, at a time when Grover Cleveland was in his second term as president, during the nationwide depression of 1893 to 1896.

That the Oswego Lodge should have come into being during a time of community—and nationwide—need should surprise no one who understands and upholds Elks' values. For the 114 years of its existence, the lodge has been deeply involved in supporting its community through a wide range of programs and activities. Because of all the hard work and constant participation of its active members, the Oswego Lodge exemplifies the motto Elks Care—Elks Share.

Just ask some of those who have benefited from lodge members' volunteerism.

Sheri Valle, Voluntary Service Program Assistant at the nearby Syracuse VA Medical Center, for example, points out that ''local Elks lodges have donated the equivalent of more than $18,000 just this year in activities, items, and cash donations, and this particular lodge has donated more than $5,000 in items, time, and cash donations.''

And though the monetary amounts are gratifying, Valle immediately adds that ''the biggest benefit to us is always the time the Elks spend with our veteran patients, especially in our nursing home care unit. Patients live there and really don't have a lot of opportunity to see people outside the medical center.'' The Oswego Lodge members, in addition to volunteering to transport patients and residents to various places, visit the nursing home residents virtually every day. Among numerous other activities, the lodge supports a playing card club in the nursing home; regularly hosts the distribution of T-shirts and golf hats to residents; and makes sure to create special activities for the various holidays. ''They've been wonderful during the holidays,'' Valle enthuses. ''It's wonderful to see the faces of the veteran patients when the Elks are here. They're a lot happier, and they're asking, 'When are they coming next?' ''

The same kinds of comments come from school officials in Oswego. ''There doesn't appear to be anything that they've been asked to do that they've said no to, if it benefits kids,'' says Bill Foley, public relations director for the Oswego School District. ''And,'' Foley adds immediately, ''practically everyone asks them for help, but they're always more than willing to give.''

Foley cites the smaller size of the Oswego community, and the interconnectedness of its residents, when describing the generosity of the Elks' giving and volunteerism there. ''Almost all of them went through our schools,'' he notes. ''So they're giving back to the community in which they've grown up, and that is just tremendous.''

Among the recognitions and awards the Oswego Elks bestow in the local school system are Teen of the Month awards and annual scholarships for graduating seniors. In a smaller community like Oswego, which serves about forty-five hundred students, such awards and recognitions are by definition high-profile and resonate strongly. Indeed, Foley can speak of them with personal zeal, since his own son, Michael, was named Teen of the Month during the 1996–1997 school year. ''Michael was very proud,'' Foley recalls. ''He held his head so high when he achieved that; it meant so much to him to be recognized.''

From such experiences, Foley says that it's clear that ''students need to receive some recognition. Being named Teen of the Month or receiving a scholarship builds confidence, morale, and self-esteem. There's nothing but positive value in this, and the Elks are having a major impact on our youth through such programs.''

A SPECIAL CULTURE

Because of all the activities that the Oswego Elks Lodge is involved in, there is always a buzz of volunteerism humming around the lodge itself. If there were a single word that would best describe the lodge's atmosphere, it might be ''enthusiastic.''

''It's all about an enthusiastic, community-focused outlook,'' says Rinaldo. ''What you've heard from these folks,'' he explains, referring to community leaders like Bill Foley and Sheri Valle, ''is what this lodge is all about. Everything has been geared toward the kids, toward the vets, toward the community. It all comes back to what the Elks are doing for the community. As far as the All-American Lodge Award goes, I think we've earned it. Everyone here is committed to this community.''

''At the same time,'' says Daniel Capella, a past exalted ruler of the Oswego Lodge and a past president of the New York State Elks Association, ''we have a lot of fun, and that's part of what makes it go nicely. We know how to laugh.''

Still, Capella notes, a tremendous amount of work and energy go into all the lodge's activities, including the social activities that take place at the lodge itself: ''From the first Friday in January through April, we serve three hundred or four hundred meals every Friday night here at the lodge. Volunteers show up at four or four-thirty in the afternoon, we start serving dinner at five, and it goes on well into the evening. And yet we're never short of volunteers to support the Friday dinners.''

GOOD CITIZENSHIP MAGNIFIED

The Oswego Lodge demonstrates its Americanism and good citizenship in various ways,

including very strong support for local law enforcement and broad community efforts. Those efforts and that support are clearly recognized and appreciated by law enforcement and municipal officials. In a community of seventeen thousand, such good works are very much noticed.

''In a smaller city such as this, everybody seems to know what everybody else is doing,'' says Edward Geers, Oswego's fire chief. ''And if there's a need in one family, everybody helps out. I visit other places, but love coming back here,'' he adds. ''Everybody here is interested in the city as a whole and the community as a whole. If somebody's in need, whatever it is, the community pulls together; and the Elks have always been a big part of that.''

The Elks' appreciation of the people and organizations that hold the town together is shown regularly through public recognition. For the lodge's annual public safety recognition event, called Lincoln Day in Oswego, Geers develops a profile of the personnel who might deserve the lodge's Firefighter of the Year Award, and then he ''lets the firefighters decide who they feel is worthy. And when the Elks recognize that person, it means a lot.'' Geers continues, ''I think everyone realizes that even though an individual wins an award, it's not just that one individual who's being recognized. It reflects on the entire department. We stand as one, and that perception is very important for us.''

Geers, an active Elk for twenty-three years, adds: ''I'm proud to say I'm a member of the Oswego Elks, because of the wonderful things they've done in the community. Other organizations do little things, but the Elks are trendsetters, who make sure everything's done right.''

Oswego's chief of police, Michael Dehms Jr., agrees that receiving the Oswego Lodge's public safety award is a distinct honor. ''It's good to be recognized, but when you're recognized by an organization like the Oswego Elks, it means a lot.'' Dehms notes that the Elks also have made numerous important contributions directly to public safety. For example, in the 1980s, the Oswego Lodge purchased a working police canine for the department's canine unit. What's more, Dehms points out, every year during the community's biggest social event, called Harborfest, the Elks ''supply meals for our officers and state police, for the officers who have to work through it and can't go home for dinner. Anything we've ever asked for, they've always helped us,'' he adds.

According to Dehms, the Elks ''definitely set an example of community involvement.'' One of the Elks' programs, for example, honors the memory of a deceased police officer by maintaining an ongoing memorial fund in his name that provides college scholarships.

Mayor Randolph Bateman easily summarizes the Oswego Elks' exceptional volunteerism by saying that ''the Elks' contribution to the community is great. They're involved in various activities, including youth activities. And last year, they hosted the New York Elks' bowling tournament, which brought significant income into the city.''

Another example of the Oswego Elks' civic involvement that Mayor Bateman cites is the Youth Community Day that the lodge sponsors every year in May. Youth Community Day includes an Elks-sponsored luncheon for students and local government officials. At the luncheon, the mayor and various city department heads speak to the students, explaining some of the functions of city government, and give the students the opportunity to meet public officials directly. Such events, Bateman says, are extremely important in helping reinforce the natural cohesiveness that already exists in a community like Oswego.

As the school district's Bill Foley sees it, a smaller community like Oswego brings out the best in people, and the Elks of Oswego help to encourage that. ''We look like a sleepy little town on the lake,'' he says, ''but what amazes me is the way this town always pulls together, whether during the ice storm of a few years ago, or during Harborfest. This is a caring community,'' he emphasizes. ''It's almost like a community of the past. We joke about Oswego maybe being a few years behind other places, but we care about each other and pull for each other. And to have folks like the Elks be so involved, it's tremendous.''●

TRIBUTE TO VESTAVIA HILLS HIGH SCHOOL

● Mr. SESSIONS. Mr. President, I would like to make some remarks today about Alabama's State champion and national finalist in the ''We the People'' competition. Vestavia Hills High School placed fourth in the national We the People: The Citizen and the Constitution national finals, held in Washington, DC. This impressive competition, headed by the Center for Civic Education, engaged young people in the fundamental ideals and values of American constitutional government.

Members of this remarkable team from Vestavia Hills included Diana Chen, Colleen Cusick, William Desmond, Felipe Goncalves, Lauren Hammonds, Pei-Ann Lin, Tyler Martin, Robert Nuttall, Shannon O'Sheal, Thomas Oliver, Sean Sapp, Curry Stevenson, Andrew Swindle, Wesley Vaughn, Jay Watson, Ylia Wilson, Shin Xu, and Zaka Yazdi.

I would like to congratulate Amy Maddox, the teacher who led this fine team. Teachers shape the future, and I appreciate Ms. Maddox's investment in these students. As a former educator and the father of three children, I have a great admiration for educators, and I am grateful that educators like Ms. Maddox are making a difference.

I would also like to thank Janice Cowin, the executive director of the Alabama Center for Law and Civic Education.

I applaud the efforts of students, teachers, and community leaders who made this accomplishment possible. Vestavia Hills High School is an exceptional school and has represented Alabama well. I encourage these students to continue pursuing a deep understanding of the Constitution and our Government. It is important that we raise up quality leaders that will serve our country in years to come.●

MESSAGES FROM THE HOUSE

At 12:14 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4040) to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. DINGELL, Mr. WAXMAN, Mr. RUSH, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. BARTON of Texas, Mr. WHITFIELD of Kentucky, and Mr. STEARNS as managers of the conference on the part of the House.

At 5:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for fiscal year ending September 30, 2008, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 5:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 6022. An act to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

H.R. 6051. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

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–6276. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2007 through March 31, 2008; ordered to lie on the table.

EC–6277. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyproconazole; Pesticide Tolerance'' (FRL No. 8362–9) received on May 13, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6278. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the Department of the Navy and has been assigned case number 07–06; to the Committee on Appropriations.

EC–6279. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, notification of the Department's decision to conduct a streamlined competition of aircraft maintenance functions performed by personnel of the Fleet Logistics Support Squadrons at Andrews Air Force Base, MD; to the Committee on Armed Services.

EC–6280. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Land Disposal Restrictions: Site-Specific Treatment Variance for P and U-Listed Hazardous Mixed Wastes Treated by Vacuum Thermal Desorption at the Energy Solutions' Facility in Clive, Utah'' (FRL No. 8565–9) received on May 13, 2008; to the Committee on Environment and Public Works.

EC–6281. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Rule for Implementation of the New Source Review Program for Particulate Matter Less Than 2.5 Micrometers'' ((RIN2060–AN86)(FRL No. 8566–1)) received on May 13, 2008; to the Committee on Environment and Public Works.

EC–6282. 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 hurricane and storm damage reduction opportunities for Pawleys Island, South Carolina; to the Committee on Environment and Public Works.

EC–6283. 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 ''Assumption of Liabilities'' ((RIN1545–BH95)(TD 9397)) received on May 13, 2008; to the Committee on Finance.

EC–6284. 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 ''Medicaid Rebates'' (Rev. Rul. 2008–26) received on May 13, 2008; to the Committee on Finance.

EC–6285. 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 ''QSP: Reverse Subsidiary Merger; Step Transaction'' (Rev. Rul. 2008–25) received on May 13, 2008; to the Committee on Finance.

EC–6286. 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 ''Section 956 Rep Exception Relief'' (Rev. Proc. 2008–26) received on May 13, 2008; to the Committee on Finance.

EC–6287. 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 ''Simplified Relief from Withholding Tax Upon Disposition of U.S. Real Property Interests'' (Rev. Proc. 2008–27) received on May 13, 2008; to the Committee on Finance.

EC–6288. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Chile for the manufacture of the SIG556 Rifle; to the Committee on Foreign Relations.

EC–6289. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the text of an agreement between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office; to the Committee on Foreign Relations.

EC–6290. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Brazil for the SP 2022 semi-automatic pistol; to the Committee on Foreign Relations.

EC–6291. A communication from the Director of Regulations Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Graves Marked with a Private Headstone or Marker'' (RIN2900–AM93) received on May 13, 2008; to the Committee on Veterans' Affairs.

EC–6292. A communication from the Director of Regulations Management, Office of General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Accreditation of Agents and Attorneys; Agent and Attorney Fees'' (RIN2900–AM62) received on May 13, 2008; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 2511. A bill to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2913. A bill to provide a limitation on judicial remedies in copyright infringement cases involving orphan works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted.

By Mr. INOUYE for the Committee on Commerce, Science, and Transportation.

*William J. Brennan, of Maine, to be Assistant Secretary of Commerce for Oceans and Atmosphere.

*Lily Fu Claffee, of Illinois, to be General Counsel of the Department of Commerce.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER:

S. 3020. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the postmarket surveillance of devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself and Mrs. MCCASKILL):

S. 3021. A bill to amend title 49, United States Code, with respect to length and weight limitations for buses, trucks, and other large vehicles on Federal highways, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. VOINOVICH):

S. 3022. A bill to amend the Federal Water Pollution Control Act to prohibit the sale of dishwashing detergent in the United States if the detergent contains a high level of phosphorus; to the Committee on Environment and Public Works.

By Mr. AKAKA:

S. 3023. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veterans Affairs regarding the substantiation of claims; to the Committee on Veterans' Affairs.

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

S. 3024. A bill to authorize grants to the Eurasia Foundation, and for other purposes; to the Committee on Foreign Relations.

By Mr. THUNE:

S. 3025. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for the purchase of a flexible fuel vehicle; to the Committee on Finance.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3026. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. REID (for Mrs. CLINTON):

S. 3027. A bill to amend the National and Community Service Act of 1990 to establish a program to provide college coaches to low- and middle-income high-achieving high school students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mrs. CLINTON):

S. 3028. A bill to amend the National and Community Service Act of 1990 to promote community service among United States youth by connecting secondary school seniors to community service opportunities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Ms. SNOWE):

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

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. BAYH, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. CRAIG, Mr. CRAPO, Mrs. DOLE, Mr. DOMENICI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. KERRY, Ms. LANDRIEU, Mr. LEAHY, Mrs. LINCOLN, Mr. MENENDEZ, Mr. SCHUMER, Ms. SNOWE, Mr. STEVENS, Mr. VITTER, Mr. VOINOVICH, and Mr. WICKER):

S. Res. 567. A resolution designating June 2008 as ''National Internet Safety Month''; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. VOINOVICH, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mr. GREGG, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER):

S. Res. 568. A resolution commemorating the 100th anniversary of the founding of the National Governors Association; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1906

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1906, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 1907

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1907, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to understand and comprehensively address the inmate oral health problems associated with methamphetamine use, and for other purposes.

S. 2040

At the request of Mr. BOND, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2040, a bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies.

S. 2059

At the request of Ms. MIKULSKI, her name and the name of the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2067

At the request of Mr. MARTINEZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2067, a bill to amend the Federal Water Pollution Control Act relating to recreational vessels.

S. 2209

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2209, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 2368

At the request of Mr. PRYOR, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2368, a bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program.

S. 2504

At the request of Mr. THUNE, his name was added as a cosponsor of S. 2504, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 2523

At the request of Mr. KERRY, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 2708

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2708, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from Virginia (Mr. WEBB) and the Senator from Kentucky (Mr. BUNNING) 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. 2781

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2781, a bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare program.

S. 2790

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2790, a bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive cancer care planning under the Medicare program and to improve the care furnished to individuals diagnosed with cancer by establishing a Medicare hospice care demonstration program and grants programs for cancer palliative care and symptom management programs, provider education, and related research.

S. 2795

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2795, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible.

S. 2862

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 2862, a bill to provide for National Science Foundation and National Aeronautics and Space Administration utilization of the Arecibo Observatory.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) 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. 2931

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2931, a bill to amend title XVIII of the Social Security Act to exempt complex rehabilitation products and assistive technology products from the Medicare competitive acquisition program.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2938

At the request of Mr. GRAHAM, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 2938, a bill to amend titles 10 and 38, United States Code, to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, and for other purposes.

S. 2942

At the request of Mr. CARDIN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. 3007

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3007, a bill to hold the surviving Nazi war criminals accountable for the war crimes, genocide, and crimes against humanity they committed during World War II, by encouraging foreign governments to more efficiently prosecute and extradite wanted criminals.

S. RES. 482

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 482, a resolution designating July 26, 2008, as ''National Day of the American Cowboy''.

S. RES. 541

At the request of Mr. FEINGOLD, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. Res. 541, a resolution supporting humanitarian assistance, protection of civilians, accountability for abuses in Somalia, and urging concrete progress in line with the Transitional Federal Charter of Somalia toward the establishment of a viable government of national unity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 3023. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veteran's Affairs regarding the substantiation of claims; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the proposed Veterans' Notice Clarification Act of 2008. This bill would require VA to issue regulations specifying the content of notices provided to claimants who seek VA benefits and services. Following a number of court decisions, VA's notification letters to veterans have become increasingly long, complex, and difficult to understand.

These notification letters must be simplified, as veterans, VA, veterans' advocates and outside review bodies have all recommended. The letters should use simple ordinary language rather than bureaucratic legalese and they should be focused on the specific type of claim that the veteran is bringing.

My bill would require different notice contents depending upon whether the claim is an original claim, a claim to reopen, or a claim for an increase in benefits. VA would also have the discretion to provide additional or alternative contents for notice if appropriate to the benefits sought. For example, an original claim for service-connected compensation may require different content than a claim for a specially adapted housing grant.

The notice required for original claims by the Veterans Claims Assistance Act, Public Law 106–475, should provide useful information based on the documents submitted to VA and the benefit sought. The information and evidence requested by VA should be relevant to the claim filed. For example, the information and evidence requested by VA for a claim for disability compensation and financial information concerning claims for pension benefits are wholly different. A veteran should not be made to submit information that is unrelated to his or her claim.

I believe that this bill, if enacted, will assist VA in developing appropriate criteria to implement the requirements of the current law. In addition, courts which review appeals from VA decisions should find it easier to identify errors in notification by measuring the notice against clear regulatory criteria.

I urge all of my colleagues to support this measure, so that veterans, survivors and dependents seeking VA benefits may be provided with clearer and more understandable notices.

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. 3023

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 ''Veterans' Notice Clarification Act of 2008''.

SEC. 2. REGULATIONS ON CONTENTS OF NOTICE TO BE PROVIDED CLAIMANTS WITH THE DEPARTMENT OF VETERANS AFFAIRS REGARDING THE SUBSTANTIATION OF CLAIMS.

Section 5103(a) of title 38, United States Code, is amended—

(1) by inserting ''(1)'' before ''Upon receipt''; and

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

''(2)(A) The Secretary shall prescribe in regulations requirements relating to the contents of notice to be provided under this subsection.

''(B) The regulations required by this paragraph—

''(i) shall specify different contents for notice depending on whether the claim concerned is an original claim, a claim for reopening a prior decision on a claim, or a claim for increase in benefits;

''(ii) may provide additional or alternative contents for notice if appropriate to the benefit or services sought under the claim;

''(iii) shall specify for each type of claim for benefits the general information and evidence required to substantiate the basic elements of such type of claim; and

''(iv) shall specify the timing of the issuance of notice.''.

By Mr. REID (for Mrs. CLINTON):

S. 3027. A bill to amend the National and Community Service Act of 1990 to establish a program to provide college coaches to low- and middle-income high-achieving high school students; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, in honor of AmeriCorps Week, I am pleased to introduce legislation that will place more of our Nation's low- and middle-income high school students on the road to higher education. My legislation will address the disparity that exists in college persistence between lower-income, high-achieving students and their more affluent peers.

According to the National Educational Longitudinal Survey, NELS, more than 1.5 million high school students with annual household incomes of less than $85,000 do not earn college degrees despite having ranked in the top half of their high school classes. Further, a recent report from the Jack Kent Cooke Foundation found that 59 percent of lower-income high-achieving students graduated from college compared to 77 percent of their higher income peers. America cannot remain competitive in the global economy if we continue to squander our college talent every year. That is why I am sponsoring the Coaching Our Adolescents for College Heights Act, or the COACH Act.

The COACH Act creates a pilot AmeriCorps program to recruit, train, and place recent college graduates, or coaches, in high schools to help prepare low- and middle-income, high-performing high school students for success in college. Under this program, coaches will be responsible for working with school staff to build a strong college-going culture within their high schools. Coaches will be paired with a cohort of low- and middle-income, high-achieving students to ensure student enrollment and success in college-prep coursework and to connect participating students with summer internships, community service activities, and other opportunities that will enrich each student's academic experience. Coaches will also help students and their parents in understanding the college application, admissions, and financial aid processes as well as work with students to select and enroll in the institutions of higher education that best meet each student's educational and social needs.

The role of coaches will not end once students are enrolled in college, as coaches will be required to monitor their students' academic performance and social adjustment through the end of each student's first year of college. In this way, coaches will ensure that students are connected to the support services they need to persist in and ultimately graduate from college.

A recent study by the Consortium on Chicago School Research found that only 41 percent of students who aspired to go to college took the steps necessary in their senior year to apply to and enroll in a four-year college, despite being well-qualified for even the most selective colleges and universities. It is among these students that the Nation suffers the greatest loss in proven talent. Unfortunately, our high schools are struggling to provide these students with necessary guidance. In 2002, the National Center of Education Statistics found that the average ratio of high school students to full-time guidance counselors was 315 to 1. Furthermore, only 10 percent of public schools have advisors whose sole responsibility is college counseling. The COACH Act not only addresses the need to prepare our high-achieving, low- and middle-income students for college, but it also engages eager AmeriCorps members as a necessary resource for completing this task.

I hope my colleagues will join me in this effort to help these students succeed in higher education and compete in the global economy.

By Mr. REID (for Mrs. CLINTON):

S. 3028. A bill to amend the National and Community Service Act of 1990 to promote community service among United States youth by connecting secondary school seniors to community service opportunities; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, in honor of AmeriCorps Week, I am pleased to introduce a bill that will help keep our Nation's high school seniors engaged in learning and community service. My legislation will connect high school seniors to service opportunities within their schools or communities while earning money for college.

The senior year of high school is a crucial transition time for youth. Despite this fact, many twelfth grade students opt to take less challenging courses, or no classes at all, during their final year of high school, a phenomenon commonly termed ''senioritis.'' I strongly believe we should use this opportunity to provide a service-oriented education for young people across the country. That is why I am sponsoring the Senior Year Community Service Act.

This legislation will create a pilot program to enable six local educational agencies to connect high school seniors with service opportunities within their communities or schools. The bill calls on the Corporation of National and Community Service to assist local educational agencies with the implementation of this pilot program. Using grant funds, the local educational agency will establish a partnership with a community based organization to implement this pilot program, provide a service coordinator to assist participating high schools, and provide information to students about this program as early as their junior year.

The Senior Year Community Service Act also requires the Department of Education to study the effects of this program on participating seniors. The evaluation will measure student academic achievement on State academic assessments, graduation rates and student rates of college enrollment, persistence and graduation. If the evaluation proves that this program is successful in increasing student achievement, the legislation calls upon the Department of Education to make this program a universal experience for high school seniors.

Research has shown that participation in community service activities can lead to increased student achievement. In one study, students involved in community service and service-learning reported higher grades and better school attendance. In another study, civically-engaged high school students tended to make greater academic progress and were more likely to graduate from college.

The benefits of community service participation can reach beyond the school walls. The National Service-Learning Clearinghouse notes that in addition to increased academic achievement, service learning contributes to students' increased self-efficacy, enhanced problem-solving skills, and enhanced civic engagement.

We have seen colleges and universities take their own approaches to solving the problem of ''senioritis.'' Earlier this year, the New York Times reported that a handful of universities are taking action against slacking high school seniors—ranging from requiring students to meet monthly with the dean of admissions once enrolled, to rescinding admission status completely. Programs that keep seniors engaged in school can prevent college-bound students from squandering their precious opportunities.

The Senior Year Community Service Act will prevent many high school students from wasting their senior year and makes community service a common expectation for high school seniors. I hope that my Senate colleagues will join me in supporting this bill that will help our youth stay on track for a bright and successful future.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 567—A BILL DESIGNATING JUNE 2008 AS ''NATIONAL INTERNET SAFETY MONTH''

Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. BAYH, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. CRAIG, Mr. CRAPO, Mrs. DOLE, Mr. DOMENICI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. KERRY, Ms. LANDRIEU, Mr. LEAHY, Mrs. LINCOLN, Mr. MENENDEZ, Mr. SCHUMER, Ms. SNOWE, Mr. STEVENS, Mr. VITTER, Mr. VOINOVICH, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 567

Whereas there are more than 1,000,000,000 Internet users worldwide;

Whereas, in the United States, 35,000,000 children in kindergarten through grade 12 have Internet access;

Whereas approximately 86 percent of the children of the United States in grades 5 through 12 are online for at least 1 hour per week;

Whereas approximately 67 percent of students in grades 5 through 12 do not share with their parents what they do on the Internet;

Whereas approximately 30 percent of students in grades 5 through 12 have hidden their online activities from their parents;

Whereas approximately 31 percent of the students in grades 5 through 12 have the skill to circumvent Internet filter software;

Whereas 61 percent of the students admit to using the Internet unsafely or inappropriately;

Whereas 12 percent of middle school and high school students have met face-to-face with someone they first met online;

Whereas 42 percent of students know someone who has been bullied online;

Whereas 56 percent of parents feel that online bullying of children is an issue that needs to be addressed;

Whereas 47 percent of parents feel that their ability to monitor and shelter their children from inappropriate material on the Internet is limited; and

Whereas 61 percent of parents want to be more personally involved with Internet safety: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2008 as ''National Internet Safety Month'';

(2) recognizes that National Internet Safety Month provides the citizens of the United States with an opportunity to learn more about—

(A) the dangers of the Internet; and

(B) the importance of being safe and responsible online;

(3) commends and recognizes national and community organizations for—

(A) promoting awareness of the dangers of the Internet; and

(B) providing information and training that develops critical thinking and decision-making skills that are needed to use the Internet safely; and

(4) calls on Internet safety organizations, law enforcement, educators, community leaders, parents, and volunteers to increase their efforts to raise the level of awareness for the need for online safety in the United States.

Ms. MURKOWSKI. Mr. President, today I introduced a resolution designating June 2008 as National Internet Safety Month.

The Internet has become one of the most significant advances in the 20th century and, as a result, it affects people's lives in a positive manner each day. However, this technology presents dangers that need to be brought to the attention of all Americans. Consider the pervasiveness of Internet access by children and the rapid increase in Internet crime and predatory behavior. Never before have powerful educational solutions—such as Internet safety curricula for grades kindergarten through 12—been more critical and readily at hand.

I-SAFE is one nonprofit organization that has worked tirelessly to educate our youth and our community on these important issues. Formed in 1998, I-SAFE educates youth in all 50 States, Washington, DC, and Department of Defense schools worldwide to ensure that they have a safe experience online.

It is imperative that all Americans learn about the Internet safety strategies which will help keep their children safe from victimization. Consider the facts: In the United States, about 35 million school-aged children have Internet access. Eighty-six percent of middle and high school students are online for at least one hour per week.

An alarming statistic is that 61 percent of middle and high school youths admit to using the Internet unsafely or inappropriately. Furthermore, at least 12 percent of these students have met face-to-face with someone they first met online and 42 percent of these students know of someone who has been bullied online.

Now is the time for America to focus its attention on supporting Internet safety, especially bearing in mind that children will soon be on summer vacation and will spend more time online.

SENATE RESOLUTION 568—COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE NATIONAL GOVERNORS ASSOCIATION

Mr. CARPER (for himself, Mr. VOINOVICH, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mr. GREGG, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas, in 1908, President Theodore Roosevelt invited the Nation's Governors to the White House to discuss conserving America's natural resources;

Whereas the Governors decided to form an association through which they could continue to come together on a bipartisan basis to discuss mutual concerns and share State practices;

Whereas, 100 years later, the National Governors Association serves as the collective voice of the 55 Governors of States, commonwealths, and territories;

Whereas, for the past century, Governors have utilized the organization to explore issues, develop solutions, and build consensus on diverse national policies;

Whereas the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges; and

Whereas the National Governors Association is celebrating 100 years of gubernatorial leadership–honoring the past, celebrating the present, and embracing the future: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the leadership of the Nation's Governors and honors their contributions to American politics and society; and

(2) commemorates the 100th anniversary of the founding of the National Governors Association.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4777. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table.

SA 4778. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4779. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4780. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4781. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4782. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4783. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4784. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4785. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4777. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of the substitute amendment, insert the following:

SEC. ___. AUTHORIZATION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.

Section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758) is amended by striking ''for fiscal year 2006'' through the period and inserting ''for each of the fiscal years 2006 through 2012''.

SA 4778. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC SECTOR EMPLOYEES' RIGHT TO WORK.

(a) PROVIDING PUBLIC SECTOR EMPLOYEES WITH THE RIGHT TO WORK.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Providing for the rights of all public sector employees in the State, by mandating that no such employee pay any dues or fees to a labor organization as a condition of employment.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4779. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIFE AT CONCEPTION.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Requiring that the State shall have taken steps to protect the rights, life, and safety of all of its citizens, born or unborn, by enacting laws to protect the lives of these citizens and granting to the born and unborn equally the right to life guaranteed under the Constitution and enumerated under the 14th Amendment, and declaring such protections to be vested in each human being from the time of conception.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4780. Mr. DEMINT submitted an amendment intended to be proposed by

him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MEMBERS-ONLY BARGAINING.

(a) MEMBERS-ONLY BARGAINING.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) In order to protect the rights of the individual worker—

''(A) prohibiting a State or local government from entering into an exclusive representation agreement with a labor organization; and

''(B) ensuring that a labor organization is only representing its own members, and that the rights of nonmembers to bargain on their own behalf is provided for.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4781. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RIGHT TO CARRY WEAPONS.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Granting citizens of the State the right to carry concealed weapons to assist in protecting the safety of its citizens and public safety officers.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4782. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RECIPROCITY.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Granting citizens of other States where the concealed carrying of firearms has been duly provided for by law the ability to exercise that right in their State without the further issuance of permits.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4783. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PREVENTING PAYROLL DEDUCTION.

(a) PREVENTING PAYROLL DEDUCTION.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Prohibiting the deduction of labor organization dues or fees of any kind directly from an employee's paycheck.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4784. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC SAFETY OFFICER RIGHT-TO-WORK.

Section 4(b) of this Act is amended by adding at the end the following:

''(6) Forbidding any public safety employer from negotiating a contract or memorandum of understanding that requires the payment of any fees to any labor organization as a condition of employment.''.

SA 4785. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page ___, line ___, insert the following:

SEC. ___. COLLECTION OF UNION DUES FROM ILLEGAL IMMIGRANTS PROHIBITED.

(a) IN GENERAL.—It shall be unlawful for a labor organization to collect dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) STATE RESPONSIBILITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, a State law shall be deemed to have failed to substantially provide for the rights and responsibilities described in section 4(b) unless the Authority determines that such law, in addition to meeting such rights and responsibilities, prohibits labor organizations from collecting dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act.

(2) ENFORCEMENT AUTHORITY.—The Authority may issue and enforce regulations to carry out paragraph (1) in the manner provided under section 5.

(c) DECERTIFICATION OF PUBLIC SAFETY LABOR ORGANIZATIONS.—In addition to any enforcement measures authorized under subsection (b)(2), if the Authority determines that a labor organization has violated any provision under subsection (a) or (b), the Authority shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Authority as the exclusive representative of employees for collective bargaining purposes.

(d) REQUIRED PARTICIPATION BY PUBLIC SAFETY LABOR ORGANIZATIONS.—Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (title IV of division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) LABOR ORGANIZATIONS.—

''(A) IN GENERAL.—All labor organizations (as defined in section 3 of the Public Safety Employer-Employee Cooperation Act of 2007) shall elect to participate in the basic pilot program and shall comply with the terms and conditions of such election.

''(B) VERIFICATION OF ALL MEMBERS.—Notwithstanding any other provision in this title, each participating labor organization shall use the confirmation system to seek confirmation of the identity and employment eligibility of each member of such labor organization.

''(C) DEADLINE FOR COMPLIANCE.—The verifications required under subparagraph (B) shall be completed—

''(i) not later than 1 year after the date of the enactment of the Public Safety Employer-Employee Cooperation Act of 2007 for all members of the labor organization as of such date; and

''(ii) for individuals who become members of such labor organization after such date of enactment, not later than 14 days after the commencement of such membership.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2:30 p.m., in Executive Session to consider pending military nominations.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 15, 2008, at 3 p.m. in Executive session to conduct a hearing.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Thursday, May 15, 2008, at 1.50 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2 p.m. to hold a hearing on U.S.-China relations.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 10 a.m. to conduct a hearing entitled ''Nuclear Terrorism: Providing Medical Care and Meeting Basic Needs in the Aftermath.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, May 15, at 9:30 a.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct an executive business meeting on Thursday, May 15, 2008, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2 p.m. in order to conduct a hearing entitled, ''National Security Bureaucracy for Arms Control, Counterproliferation, and Nonproliferation Part I: The Role of the Department of State.''

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Jenna Jones of my staff be granted floor privileges for the duration of today's session.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the duration of the debate on the farm bill: Ayesha Khanna, Bridget Mallon, Scott Guenther, Bruce Fergusson, Kelsey Hamilton, Libby Cohn, Nathan Empsall, Ezana Teferra, Jeremiah Langston, and Thea Murray.

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

Mr. CASEY. Mr. President, I ask unanimous consent that Caryn Long from my staff be granted the privilege of the floor for today and throughout the remaining time on the bill.

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

ENCOURAGING DISPLAY OF THE FLAG OF THE UNITED STATES ON FATHER'S DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2356 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 (H.R. 2356) to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. 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 any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 2356) was ordered to a third reading, was read the third time, and passed.

TEMPORARY EXTENSION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3029 introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

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

There being no objection, the Senate proceeded to consider the bill.

Mr. KERRY. Mr. President, on May 23, 2008, many of the Small Business Administration's programs and authorities will expire.

Unfortunately, it has become commonplace for those in the small business community to face an expiration of the programs they depend upon. Since September 30, 2006, we have had to pass four temporary extensions to keep the Small Business Administration authorized. And here we are, yet again, trying to pass a temporary bill to continue these vital small business programs—this time through March 20, 2009.

Since Democrats took the majority over a year ago, the Committee on Small Business and Entrepreneurship has worked hard to create a good climate for small businesses in this country. To that end, we have had 20 hearings, 6 roundtables, and passed 5 major bills out of committee to address the needs of the small business community, needs which have gone unmet the past 7 years. During that time, we have often encountered obstruction from the administration and Republican congressional leadership. Despite the cooperation of the very supportive ranking member I have in Senator OLYMPIA SNOWE, who is cosponsoring this legislation, some on the other side have blocked our legislation and have blocked the appointment of conferees, which leaves us unable to conference with the House and get much-needed legislation signed into law. The Republicans, now in the minority, fear what will happen in a conference. Rather than work through differences and accomplish something, it is easier to block legislation. Who suffers from all this needless obstruction? Small business owners and their employees.

Just today, we saw how it is possible to get things done. S. 163, the Small Business Disaster Response and Loan Improvements Act of 2007, was included in the farm bill conference report. This legislation, which was adopted as an amendment to the farm bill, was then negotiated with the House as part of the farm bill conference, allowing us to enact meaningful reforms in the way the Small Business Administration comes to the aid of disaster victims.

My hope is that once we have this extender bill in place, the administration and the Republican leadership will realize that five temporary authorizations are five too many and allow our committee to do what it has been attempting to do, which is to do a comprehensive reauthorization of the rest of the small business programs. Therefore, I urge my colleagues to pass this temporary bill and then give us the support we need for a comprehensive reauthorization of small business programs.

Mr. DURBIN. 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, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3029) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3029

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 110–136 (121 Stat. 1453), is amended by striking ''May 23, 2008'' each place it appears and inserting ''March 20, 2009''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on May 22, 2008.

SIGNING AUTHORIZATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the majority leader, Senator REID, of Nevada be authorized to sign enrolled bills during the adjournment of the Senate.

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

ORDERS FOR MONDAY, MAY 18, 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m., Monday, May 19; that following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. DURBIN. Mr. President, as previously announced, there will be no rollcall votes on Monday. The next vote is expected to occur Tuesday morning.

ADJOURNMENT UNTIL MONDAY, MAY 19, 2008, AT 2 P.M.

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:26 p.m., adjourned until Monday, May 19, 2008, at 2 p.m.